

GAHC010081832025



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**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : Crl.Pet./486/2025**

RAFIKUL ALI @ RAFIK ALI  
S/O MINHAZ ALI  
VILL- THEKA GAON,  
KAYAKUCHI  
P.S. BARPETA,  
DIST. BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.  
REP BY THE PP, ASSAM

2:SUMIT TALUKDAR  
SUB-INSPECTOR OF POLICE

IN-CHARGE  
KAYAKUCHI OUT POST

P.O. KAYAKUCHI

P.S.AND DIST. BARPETA  
ASSAM  
PIN-78135

**Advocate for the Petitioner** : MR. R ALI, MR H A AHMED

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE  
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 30.04.2025**

**1.** Heard Mr. R. Ali, learned counsel for the petitioner. Also heard Mr. K. Baishya, learned Additional Public Prosecutor for the State of Assam.

**2.** This is an application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in respect of Special (NDPS) Case No.28/2024, pending in the Court of learned Special Judge, Barpeta

**3.** The petitioner Rafikul Ali @ Rafik Ali has been shown as an absconder in the Charge-Sheet, therefore he apprehends that he may be remanded to custody after he appear before the Trial Court.

**4.** The learned counsel for the petitioner submits that the petitioner wants to contest this case and, therefore, he should be given one opportunity to that effect.

**5.** I have considered the submissions made by learned counsel for both the sides.

**6.** Since the petitioner is interested in facing the trial, he deserves to be given one opportunity to that effect.

**7.** Therefore, the application filed by the petitioner is allowed.

**8.** The petitioner Rafikul Ali @ Rafik Ali is directed to appear before the Court of learned Special Judge, Barpeta in respect of Special (NDPS) Case No.28/2024 within next 10(ten) days from today.

**9.** On his appearance, the petitioner Rafikul Ali @ Rafik Ali shall be released on fresh bail of Rs.25,000/- with a surety of like amount to the satisfaction of the of learned Special Judge, Barpeta, Assam.

**10.** With the aforesaid direction, the Criminal Petition stands disposed of.

**JUDGE**

**Comparing Assistant**