

In The Supreme Court of Bangladesh
High Court Division
(Criminal Miscellaneous Jurisdiction)

PRESENT:

MR. JUSTICE ABU TAHER MD. SAIFUR RAHMAN
AND
MR. JUSTICE MD. ATABULLAH

CRIMINAL MISCELLANEOUS CASE NO. 62080 OF 2023

Md. Adam Hossain.....Accused-petitioner

-Versus-

The State.....Opposite party
Mr. Md. Amjad Hosen Kanchan, Advocate
.....For the accused-petitioner
Mr. K.M. Masud Rummy, DAG with
Mr. Md. Ahsan Ullah, AAG and
Mrs. Aleya Khandker, AAG
...For the opposite party

Heard and judgment on **The 28th of July, 2024**

ABU TAHER MD. SAIFUR RAHMAN, J.

This Rule was issued on an application filed by the accused petitioner under section 498 of the Code of Criminal Procedure calling upon the opposite party to show cause as to why the accused-petitioner should not be enlarged on bail in G.R. Case No. 561 of 2023, arising out of Bogura Sadar Police Station Case No. 31 dated 11.06.2023 under sections 143 /341 /323/ 324/ 325/ 326/ 307/ 506 /114 /34 of the Penal Code, 1860 now pending in the Court of learned Chief Judicial

Magistrate, Bogura and/or such other or further order or orders passed as to this Court may seem fit and proper.

At the time of issuance of the Rule, the Court was pleased to grant ad-interim bail to the accused-petitioner for **6 (six)** months.

Mr. Md. Amjad Hosen Kanchan, the learned Advocate for the petitioner submits that the accused petitioner did not misuse the privilege of bail.

Mr. K.M. Masud Rummy, the learned Deputy Attorney General for the state finds difficult to oppose the Rule.

Heard the submissions of the learned Advocate for the accused petitioner and perused the instant application along with the materials on record thoroughly.

Since there is no allegation of misuse of the ad-interim bail, we are inclined to confirm the aforesaid ad-interim bail till to disposal of the case.

As a result, the Rule is made absolute.

Ad-interim bail was granted to the accused petitioner Md. Adam Hossain, son of late Sattar in connection with Bogura Sadar Police Station Case No. 31 dated 11.06.2023, corresponding to G.R. Case No. 561 of 2023 under sections 143 /341 /323/ 324/ 325/

326/307 /506/ 114/ 34 of the Penal Code, 1860 now pending in the Court of Chief Judicial Magistrate, Bogura is hereby confirmed till disposal of the case.

Send a copy of this information and order to the Chief Judicial Magistrate, Bogura for information and necessary action.

The Court below is at liberty to cancel his bail in case of misuse.

Md. Atabullah, J:

I agree