

District- Nilphamari

IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(CRIMINAL MISCELLANEOUS JURISDICTION)
CRIMINAL MISCELLANEOUS CASE NO.OF 2024.

IN THE MATTER OF:

Md. Mostafizur Rahman

...Accused-Petitioner.

(in Jail)

-VERSUS-

The State

..opposite party.

Mr. Md. Zahangir Alam, Advocate.

...for the petitioner.

Mr. Yesmin Begum Bithi, D.A.G

....for the State.

Judgment on. 29.01.2024.

Present

Mr. Justice Md. Rezaul Haque

and

Mr. Justice Md. Khairul Alam

This is an application for bail under section 426(2) of the Code of Criminal Procedure filed by the convict-appellant petitioner.

Mr. Md. Zahangir Alam, the learned Advocate appearing for the Convict Petitioner submitted that the petitioner has not committed any offence **under Sections 3 of the Joutuk Nirodh Ain, 2018**, and there is every chance of acquittal of the petitioner in the Appeal. Learned Advocate has further submitted that there is no certainty as to when the appeal will be heard, accordingly he has prayed for bail of this petitioner.

Mr. **Yesmin Begum Bithi**, the learned Deputy Attorney General has opposed the prayer for bail.

We find substance in the submissions of the learned Advocate, thus, we are of the view that the petitioner should be enlarged on bail on the aforesaid ground.

Accordingly, the petitioner **Md. Mostafizur Rahman son of Abdul Haque (Abedu)**, is granted bail till disposal of the Rule of **Criminal Appeal No. 20 of 2024**, on furnishing bail bond subject to the satisfaction of **the Sessions Judge, Nilphamari**.

However, the learned Judge of the Appellate Court is directed to dispose of the matter within 1(one) year from the date of receipt of this order

Accordingly, the application is disposed of with the above observations and directions.

Communicate the order at once.