

হাই-কার্ট ফৌজদারী ফরম নং-৩৫

২০
বাংলা-দশ সুপ্রীম-কার্ট
হাই-কার্ট বিভাগ

আপীল সম্পর্কিত
-ফৌজদারী

-জনা -Cumilla

439/435

-ফৌজদারী কার্যবিধি আই-নর ধারার অধী-নর রিভিশন
নং

Md. Rezaul Karim

আ-বদনকারী

মাধ্যম Mr. Md. Sofiullah Haider, Advocate

বনাম

The State

প্রতিপক্ষ

Mr. S.M. Golam Mostofa Tara, D.A.G with
Mr. A. Monnan, A.A.G

প্রথম আদালত

ম্যাজিস্ট্রেট,

তারিখ

২০

শান্তি ও দণ্ডা-দশ

Present:

Mr. Justice Md. Shohrowardi

আপীল আদালত

তারিখ

২০

কাগজপত্র বা আ- -দ-শর ক্রমিক নং	তারিখ	-নাট এবং আ-দশ	স্বাক্ষর
	<u>06.05.2024</u>	The delay of 147 days in filling the criminal revision is hereby condoned. Records be called for. Let a Rule be issued calling upon the opposite party to show cause as to why the why the impugned judgment and order of conviction and sentence dated 04.10.2023 passed by the Janonirapotta Bighnokari Aporadh Daman Tribunal and Special Sessions Judge, Cumilla in Criminal Appeal No.19 of 2020(650 of 2019) and affirming the judgment and order of conviction and sentence dated 22.09.2019 passed by the Joint Sessions Judge, Court No. 2, Cumilla in Sessions Case No.2525 of 2018 arising out of C.R. Case No. 637 of 2017 (Daudkandi)	

convicting the petitioner under Section 138 of the Negotiable Instruments Act, 1881 and sentenced him to suffer simple imprisonment for 2(two) months and also to pay a fine of Tk.2,00,000 and/or pass such other or further order as to this court may seem fit and proper.

The Rule is made returnable within 4(four) weeks from date.

Let the realization of fine be stayed.

The learned Advocate Mr. Md. Sofiullah Haider appearing on behalf of the convict-petitioner submits that the petitioner shall take step to settle the dispute between the parties regarding the issuance of the cheque in favour of the complainant opposite party. Therefore, he prayed for bail of the convict-petitioner.

Considering the submission of the learned Advocate, I am of the view that ends of justice would be best served, if the convict petitioner is enlarged on bail.

Let the convict-petitioner, **Md. Rezaul Karim son of Md. Joynal Abedin** be enlarged on bail to the satisfaction of the Joint Sessions Judge, Court No. 2, Cumilla for 06(six) months from date.

The complainant is at liberty to file an application for withdrawal of 50% of the cheque amount deposited by the convict-petitioner before filing the appeal. The court below is directed to consider the application for withdrawal of the money, if any. The trial court shall disposed of the application, if any, within 01(one) month.

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