

হাই-কার্ট ফৌজদারী ফরম নং-৩৫

২০
বাংলা-দশ সুপ্রীম-কার্ট
হাই-কার্ট বিভাগ

আপীল সম্পর্কিত
-ফৌজদারী

-জনা -Manikganj

439/435

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

Mehadi Hasan

আ-বদনকারী

মাধ্যম Mr. Khondakar Iqbal Ahmed, Advocate

বনাম

The State

প্রতিপক্ষ

Mr. Md. Emran Kahn, DAG with
Ms. Nasrin Hena, AAG with
Mr. Md. Uzzal Hussain, AAG with
Mr. Abu Saleh Apel Mahamud, AAG

প্রথম আদালত

ম্যাজিস্ট্রেট,

তারিখ

২০

শান্তি ও দস্তা-দশ

Present:

Mr. Justice Md. Shohrowardi

আপীল আদালত

তারিখ

২০

কাগজপত্র বা আ- -দ-শর ক্রমিক নং	তারিখ	-নাট এবং আ-দশ	স্বাক্ষর
	<u>05.09.2024</u>	<p>The supplementary affidavit do form part of the main application.</p> <p>Heard the learned Advocate Mr. Khondakar Iqbal Ahmed, who appeared on behalf of the convict-petitioner and the learned Deputy Attorney General Mr. Md. Emran Khan who appeared on behalf of the State.</p> <p>The delay of 214 days in filing the revisional application is hereby condoned.</p> <p>Records be called for.</p> <p>Let a Rule be issued calling upon the opposite party to</p>	

show cause as to why the judgment and order dated 29.11.2023 passed by Additional Sessions Judge, Court No.1, Manikganj in Criminal Appeal No. 291 of 2016 affirming the judgment and order of conviction and sentence dated 23.04.2015 passed by Senior Judicial Magistrate Court No.3, Manikganj in C.R Case No. 124(Daulatpur)12 and T.R No. 300 of 2014 under section 420 of the Penal Code, 1860 and sentencing the petitioner to suffer rigorous imprisonment for 3(three) years and pay a fine of Tk. 7,000(seven thousand), in default, to suffer imprisonment for 15 (fifteen) days more should not be set aside and/or pass such other or further order or orders 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. Khondaker Iqbal Ahmed appearing on behalf of the convict-petitioner having placed the supplementary affidavit sworn on 05.09.2024 submits that the offence under section 420 of the Penal Code, 1860 is compoundable and he undertakes to settle the dispute out of court within 03 (three) months from date.

Considering the submission of the learned Advocate for the petitioner and the supplementary affidavit, I am inclined to enlarge the convict petitioner on bail for a period of 03 (three) months from date.

Let the convict-petitioner, **Mehadi Hasan son of Hazi Waras Ali** be enlarged on bail to the satisfaction of the Additional Sessions Judge, Court No.1 Manikganj for 03(three) months from date.

The convict petitioner is directed to file an affidavit of compliance without fail before expiry of the order granting bail.
