

হাই-কার্ট ফৌজদারী ফরম নং-৩৫

২০
বাংলা-দশ সুপ্রীম-কার্ট
হাই-কার্ট বিভাগ

আপীল সম্পর্কিত
-ফৌজদারী

-জলা -Panchagarh

439/435

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

Md. Merazul Haque

আ-বদনকারী

মাধ্যম Mr. Md. Nurul Islam Sujon, Senior Advocate with
Mr. Mahfuj Ul Alam, Advocate

বনাম

The State

প্রতিপক্ষ

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

প্রথম আদালত

ম্যাজি-স্ট্রট,

তারিখ

২০

শান্তি ও দণ্ডা-দশ

Present:

Mr. Justice Md. Shohrwardi

আপীল আদালত

তারিখ

২০

কাগজপত্র বা আ- -দ-শর ক্রমিক নং	তারিখ	-নাট এবং আ-দশ	স্বাক্ষর
	<u>08.05.2024</u>	The delay of 139 days in filing revisional application is hereby condoned. Records be called for. Let a Rule be issued calling upon the opposite party to show cause as to why the impugned judgment and order dated 18.10.2023 passed by the Additional Sessions Judge, Panchagarh in Criminal Appeal No. 102 of 2017 affirming the judgment and order of conviction and sentence dated 03.07.2017 passed by the Chief Judicial Magistrate, Panchagarh arising out of Boda Police Station Case No. 03 dated 09.02.2010 corresponding G.R No. 15 of 2010 (Boda)	

convicting the petitioner under section 473 of the Penal Code, 1860 and sentencing him to suffer rigorous imprisonment for 7 (seven) years and to pay a fine of Tk. 5,000, in default, to suffer simple imprisonment for 06 (six) months should not be set aside 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.

Pending hearing of the Rule, the realization of fine be stayed.

The learned Senior Advocate Mr. Md. Nurul Islam Sujan appearing along with learned Advocate Mr. Mahfuj Ul Alam on behalf of the convict petitioner submits that the convict petitioner is aged about 75 years and in the meantime, he suffered in custody for more than 04(four) months. Therefore, he prayed for bail of the convict petitioner.

Learned Deputy Attorney General Mr. S.M. Golam Mostofa Tara who appeared on behalf of the State opposes the prayer for bail.

I have gone through the evidence, the impugned judgments and orders passed by the courts below and the records.

Considering the facts and circumstances of the case, evidence and the age of the convict petitioner, I am inclined to enlarge the convict-petitioner on bail.

Let the convict-petitioner, **Md. Merazul Haque son of Komar Uddin Ahmed** be enlarged on bail to the satisfaction of the Chief Judicial Magistrate, Panchagarh for a period of 06(six) months from date.

The convict petitioner is directed to put in the requisites forthwith.

