

হাই-কার্ট ফৌজদারী ফরম নং-৩৫

২০  
বাংলা-দশ সুপ্রীম-কার্ট  
হাই-কার্ট বিভাগ

আপীল সম্পর্কিত  
-ফৌজদারী

-জনা -Narayanganj

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

**Md. Jahidul Islam**

আ-বদনকারী

মাধ্যম Mr. Mohammad Rahamat Ullah, Advocate

বনাম

**The State and others**

প্রতিপক্ষ

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

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
	<b><u>21.05.2024</u></b>	Records be called for. Lat a Rule be issued calling upon the opposite party to show cause as to why the impugned judgment and order of conviction and sentences dated 11.06.2023 passed by the Sessions Judge, Narayanganj in Criminal Appeal No. 79 of 2023 allowing the appeal in part and modifying the judgment and order of conviction and sentences dated 05.09.2022 passed by Additional Chief Judicial Magistrate, Narayanganj in Sonargaon Police Station Case No. 57 dated 18.03.2018 corresponding G.R No. 217 of 2018, T.R No. 616 of 2018 convicting the accused under section 279 of the Penal Code, 1860 and sentencing him to suffer rigorous imprisonment for 01 (one) year and to pay a fine of Tk. 1000 (one thousand), in	

default, to suffer simple imprisonment for a period of 01 (one) month and also convicting him under section 304(Kha) of the Penal Code, 1860 and sentencing him thereunder to suffer rigorous imprisonment for 02 (two) years and to pay a fine of Tk.2000, in default, to suffer simple imprisonment for 02 (two) months more both the sentences will run consecutively should not be set aside and/or pass such other order or further order or orders as to this court may seem fit and proper.

The Rule is made returnable within 04(four) weeks from date.

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

The learned Advocate Mr. Mohammad Rahamat Ullah appearing on behalf of the convict petitioner submits that in the meantime the convict petitioner already served about 01(one) year and 06(six) months in custody and there is no early chance of disposal of the Rule. Therefore, he prayed for bail.

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

Considering the facts and circumstances of the case, quantum of sentence and the custody of the convict petitioner, I am inclined to enlarge the convict petitioner on bail.

Let the convict-petitioner, **Md. Jahidul Islam son of Md. Rohim Box** be enlarged on bail to the satisfaction of the Sessions Judge, Narayanganj for a period of 06(six) months from date.

The office is directed to serve the notice upon the opposite parties by usual course as well as registered post with acknowledgment receipt.

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

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