

District-Sirajgonj

Alhaj Rezaul Karim

.....Convict-petitioner.

-Versus-

The State and another

.....Opposite-parties.

Mr. Selim Hossain, Advocate

.....For the Convict-petitioner.

Mr. A K M Amin Uddin, D.A.G with

Mr. Md. Asaduzzaman, A.A.G with

Mrs. Afifa Begum Swapna, A.A.G and

Mr. Sarwar Akhtar Masud, A.A.G,

.....For the State-opposite parties.

Present:

Mr. Justice Md. Nazrul Islam Talukder.

And

Mr. Justice Kazi Ebadoth Hossain.

27.05.2024.

Heard the learned Advocate for the convict-petitioner and the learned Deputy Attorney-General for the State-opposite-parties and perused the application along with the prosecution materials annexed therewith.

Records need not be called for.

Let a Rule be issued calling upon the opposite-parties to show cause as to why the convict-petitioner should not be enlarged on bail for preferring appeal setting aside the order dated 18.02.2024 passed by the learned Joint Sessions Judge, Shahzadpur, Sirajgonj, rejecting the prayer for bail of the convict-petitioner arising out of judgment and order dated 16.01.2024 passed by the learned Joint Sessions Judge, Shahzadpur, Sirajgonj in Sessions Case No. 368 of 2023 arising out of C.R. Case No. 333 of 2022 (Shah) dated 23.08.2022, convicting the convict-petitioner under Section 138 of the Negotiable Instrument Act, 1881 and sentencing him to suffer simple imprisonment for 01 (one) year and also to pay a fine of Tk. 7,50,000/- (Seven lac fifty thousand) only, 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.

Subject to disposal of the Rule, let the convict-petitioner namely Alhaj Rezaul Karim son of Abdul Gafur Pramanik, be enlarged on ad-

interim bail in the above mentioned case for a period of 2(two) months from date for preferring appeal, subject to furnishing adequate bail bond together with his passport if any to the satisfaction of the learned Joint Sessions Judge, Shahzadpur, Sirajgonj.

The above period of bail for 2 (two) months shall start to run from the date of acceptance of bail bond by the learned Joint Sessions Judge, Shahzadpur, Sirajgonj.

But if the petitioner fails to prefer an appeal within the above period following the provisions of law, the learned judge of the concerned court below shall issue a warrant of arrest against the petitioner in accordance with law.

The convict-petitioner is directed not to leave the country without the permission of the learned judge of the concerned court below.

The learned Advocate for the convict-petitioner is also directed to file affidavit-in-compliance before this court after expiry of the period of bail positively and without fail.

If the convict-petitioner fails to comply with the terms and conditions of the order of this court, a

contempt proceeding will be started against the petitioner.

The complainant is also directed to inform this court about the compliance/non-compliance of the order of this court.

If the petitioner furnishes any false information with regard to passport and/or any other matter, he will face the consequence in accordance with law.

The learned Judge of the Court below shall be at liberty to cancel the bail of the convict-petitioner if he misuses the privilege of bail in any manner.

However, the convict-petitioner shall put in 2(two) sets of requisites within 7 (seven) days, for service of notice of the Rule upon the opposite-parties in normal course as well as by registered post with A/D as per HCD Rules.

Office is directed not to issue any certified copy of this order to the petitioner unless requisites are put in.