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বাংলাদেশ সুপ্রীমকোর্ট
হাইকোর্ট বিভাগ

আপীল সম্পর্কিত
ফৌজদারী

জেলা-Gaibandha

ফৌজদারী কার্যবিধি আইনের ধারার অধীনের রিভিশন
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Md Abul Kalam Azad

আবেদনকারী

মাধ্যম Mr. Kazi Md. Akhtaruzzaman, Advocate

বনাম

The State and another

প্রতিপক্ষ

Ms. Sharmin Hamid, A.A.G with
Mr. Sultan Mahmood Banna, A.A.G

প্রথম আদালত

ম্যাজিস্ট্রেট,

তারিখ

২০

শান্তি ও দন্ডদেশ

Present:

Mr. Justice Md. Shohrwardi

আপীল আদালত

তারিখ

২০

কাগজপত্র বা আদে- শের ক্রমিক নং	তারিখ	নোট এবং আদেশ	স্বাক্ষর
	<u>05.03.2025</u>	<p>Heard the learned Advocate Mr. Kazi Md. Akhtaruzzaman who appeared on behalf of the convict-petitioner and the learned Assistant Attorney General Ms. Sharmin Hamid who appeared on behalf of the State.</p> <p>The supplementary affidavit do form part of the main application. The delay of 128 days in filing criminal revision is condoned. Records be called for.</p> <p>Let a Rule be issued calling upon the opposite parties to show cause as to why the judgment and order of conviction and sentence dated 03.09.2024 passed by the Sessions Judge, Gaibandha in Criminal Appeal No. 54 of 2022 partly allowing the appeal and modification the judgment and order of conviction and sentence dated 28.10.2021 passed by the Joint Sessions Judge, Court No. 2, Gaibandha in Session Case No. 498 of 2020 arising out of C. R. Case No. 803 of 2019 (Gaibandha) convicting the petitioner under Section 138 of the Negotiable Instruments Act, 1881 and sentencing him to suffer 01(one) year simple imprisonment and also to pay fine of Tk. 4,00,000 (four lakh) of the dishonoured cheque amount to the complainant should not be set aside and/or such other or further order or orders passed as to this Court may seem fit and proper.</p>	

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

Let the realization of fine be stayed.

By filing supplementary affidavit sworn on 04.03.2025 the convict-petitioner undertakes that he will pay the remaining 50% of the cheque amount within six months.

Therefore, the convict-petitioner is directed to file an affidavit of compliance regarding the payment of the remaining 50% of the cheque amount before extension of the order granting bail.

Let the convict-petitioner **Md Abul Kalam Azad, son of late Syed Zaman Sarkar** be enlarged on bail for 6(six) months from the date on furnishing bail bond to the satisfaction of the Sessions Judge, Gaibandha.