## বাংলা-দশ সুপ্রীম-কার্ট

## হাই-কার্ট বিভাগ

## আপীল সম্পর্কিত -ফৌজদারী

-জলা: Chattogram

-ফৌজদারী কার্যবিধি আই-নর ৪৩৫ ধারার অধী-নর রিভিশন

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**Probir Kumar Nath** 

আ-বদনকারী

মাধ্যম

Mr. Muhammad Amirul Haq, Advocate

বনাম

The State and another

Mr. M.D. Rezaul Karim, D.A.G along with

Mr. Ashraf Uddin Khan, A.A.G Ms. Ferdousi Akter, A.A.G

প্রতিপক্ষ

প্রথম আদালত

ম্যাজি-ষ্ট্রট,

তারিখ

২০

শাস্তি ও দন্ডা-দশ

## **Present**

Mr. Justice Md. Khairul Alam

আপীল আদালত

তারিখ

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কাগজপত্র বা আদেশের ক্রমিক নং	তারিখ	-নাট এবং আ-দশ	স্বাক্ষর
লে। শব্য প্র	02.04.2024	The delay of 111 days in filing	the criminal revision is
		hereby condoned provisionally subject to any objection raised	
		at the time of hearing of the rule.	
		Let the records be called for an	d realization of fine be
		stayed.	
		Let a rule be issued calling upor	n the opposite parties to
		show cause as to why the judgment and order dated 10.10.2023	
		passed by the learned Additional Metro	opolitan Sessions Judge,
		2 <sup>nd</sup> Court, Chattagram in Criminal A	ppeal No. 338 of 2019
		dismissing the appeal and thereby affi	rming the judgment and
		order of conviction and sentence date	d 27.09.2018 passed by
		the learned Joint Metropolitan Sess	ions Judge, 5 <sup>th</sup> Court,
		Chattagram in Metro Sessions Case N	o. 4166 of 2016 arising
		out of C.R. Case No. 1329 of 2015 of	convicting the petitioner
		under section 138 of the Negotiable Ins	struments Act, 1881 and
		sentencing him to suffer simple impriso	onment for 01 (one) year
		and also pay a fine of Tk. 34,08880	/- (thirty four lac eight
		thousand eight hundred eighty) should	not be set aside and/or
		pass such other or further order or ord	ers as to this Court may
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seem fit and proper.

নোট বা আ-দশর	তারিখ	_নাট ও আ-দশ
ক্রমিক নং		Danding diamonal of the mile let the convict
		Pending disposal of the rule, let the convict
		petitioner Probir Kumar Nath, son of late Mrinal Kanti
		Nath be enlarged on ad-interim bail for a period of 01
		(one) year on furnishing bail bond to the satisfaction of the
		learned Joint Metropolitan Sessions Judge, 5 <sup>th</sup> Court,
		Chattagram.
		The rule is made returnable within 04 (four) weeks
		from date.
		The petitioner shall put in 02 (two) sets of requisites
		within 7 days, for service of notice of the rule upon the
		opposite party in normal course as well as by registered
		post with A/D as per HCD Rules.
		Office shall not issue any certified copy or other
		copy of this order to the petitioner unless requisites are put
		in (vide HCD Rules, Chapter IV Rule 3(6).
		11 ( 1100 1102 11010s, Chapter 1 11010 c (c))
		Kashem/B.o এবং লাল কালিত কোর্টর আদশর আরকটি ক্রমিক নম্বর হইব।