

Present

Mr. Justice Md. Ruhul Quddus

and

Mr. Justice A K M Rabiul Hassan

Dated: 14.01.2024

Mr. Md. Ruhul Quddus Kajol with Mr. Mohammad Abdul Jalil,
Advocates

... for the convict-appellant

Mr. Kazi Md. Mahmudul Karim Ratan, Assistant Attorney General

...for the State

This is an application for bail in the instant criminal appeal that has been filed against the judgment and order dated 04.07.2022 passed by the Judge, Cyber Tribunal, Chattogram in Cyber Tribunal Case Number 42 of 2021 (arising out of Hatia Police Station Case Number 01 dated 01.11.2017 corresponding to G R Number 229 of 2017) convicting the appellant under Section 57(2) of the Information and Communication Technology Act, 2006 and sentencing him thereunder to suffer rigorous imprisonment for 08 (eight) years with a fine of Taka 20,000/- (twenty thousand) in default to suffer simple imprisonment for another 06 (six) months.

Mr. Md. Ruhul Quddus Kajol, learned advocate for the appellant submits that the allegation brought in the FIR even if

accepted as true is an aggressive exercise of freedom expression but it does not constitute any offence of blasphemy. The appellant has been sentenced for eight years he has already served out more than 1 year and 6 months. He has a fair chance of acquittal, but there is no possibility of immediate hearing of the appeal.

Mr. Kazi Md. Mahmudul Karim Ratan, learned Assistant Attorney General opposes the prayer for bail, but does not controvert the material points raised by the learned advocate for the appellant.

We have heard the learned advocate as well as the learned Deputy Attorney General. Considering the facts and circumstance of the present case, we are inclined to grant bail to the appellant for a limited period.

Accordingly, the convict-appellant Debobrata Das alias Debu Das, son of Subol Chandra Das is enlarged on bail in the instant criminal appeal for a period of 06 (six) months subject to furnishing bail bond to the satisfaction of the Judge, Cyber Tribunal, Chattogram.

In the meantime, the appellant is directed to prepare requisite number of paper books outside the court and deposit the same in the office within three months, failing which no further extension of bail shall be granted.