

ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p>বাংলাদেশ সুপ্রীম কোর্ট হাইকোর্ট বিভাগ (ফৌজদারী আপীল অধিক্ষেত্র)</p> <p><u>উপস্থিতঃ</u> বিচারপতি জনাব মোঃ আশরাফুল কামাল</p> <p><u>ফৌজদারী আপীল নং- ৫০৪/১৯৯৭</u></p> <p>আসাদ ওরফে মোঃ আসাদ ও অন্য</p> <p>-----সাজাপ্রাপ্ত-দরখাস্তকারীদ্বয়।</p> <p>-বনাম-</p> <p>রাষ্ট্র</p> <p>-----প্রতিবাদী।</p> <p>এ্যাডভোকেট উপস্থিত নাই</p> <p>---সাজাপ্রাপ্ত-দরখাস্তকারীদ্বয় পক্ষে।</p> <p>এ্যাডভোকেট মোঃ নুরউস সাদিক চৌধুরী, ডেপুটি এ্যাটর্নী জেনারেল সংগে</p> <p>এ্যাডভোকেট লাকী বেগম, সহকারী এ্যাটর্নী জেনারেল</p> <p>এ্যাডভোকেট ফেরদৌসী আক্তার, সহকারী এ্যাটর্নী জেনারেল</p> <p>-- --রাষ্ট্র-প্রতিপক্ষ পক্ষে।</p> <p><u>গুনানী এবং রায় প্রদানের তারিখঃ ১৩.০৭.২০২৩।</u></p> <p><u>বিচারপতি জনাব মোঃ আশরাফুল কামালঃ</u></p> <p>বিজ্ঞ অতিরিক্ত দায়রা জজ, ৩য় আদালত, ময়মনসিংহ কর্তৃক দায়রা মামলা নং- ৩৩/১৯৯৬-এ প্রদত্ত বিগত ইংরেজী ২৪.০২.১৯৯৭ তারিখের রায় ও দন্ডদেশের বিরুদ্ধে অত্র ফৌজদারী আপীল।</p> <p>আপীলকারী পক্ষে বিজ্ঞ এ্যাডভোকেট অনুপস্থিত।</p> <p>অপরদিকে রাষ্ট্র পক্ষে বিজ্ঞ ডেপুটি এ্যাটর্নী জেনারেল এ্যাডভোকেট মোঃ নুরউস সাদিক চৌধুরী বিস্তারিতভাবে যুক্তিতর্ক উপস্থাপন করেন।</p> <p>অত্র আপীল মেমো এবং নথি পর্যালোচনা করা হল। রাষ্ট্রপক্ষের বিজ্ঞ ডেপুটি এ্যাটর্নী জেনারেল এ্যাডভোকেট মোঃ নুরউস সাদিক চৌধুরী এর বিস্তারিত যুক্তিতর্ক শ্রবণ করা হল।</p> <p>গুরুত্বপূর্ণ বিধায় অতিরিক্ত দায়রা জজ, ৩য় আদালত, ময়মনসিংহ কর্তৃক দায়রা মামলা নং- ৩৩/১৯৯৬-এ প্রদত্ত বিগত ইংরেজী ২৪.০২.১৯৯৭ তারিখের রায় ও দন্ডদেশ নিয়ে অবিকল অনুলিখন হলোঃ</p> <p><i>‘The prosecution case, in brief, is that on 24.06.93 at 4 p.m. P. W. 5 Lutfor Rahman, started from Dhaka for his home</i></p>

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ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p><i>under Gaffrargaon P. S. District- Mymensingh and he reached Bormi station by bus at 7 p.m., then he camr to Biswaw Road at Tack Para by Dingi Boat and then he started for his home from Tack Para on foot and when he reached near the house of A. Motaleb at about 11.30 p.m., three accused persons namely Foizuddin, Asad and Kalsm armed with deadly weapons attacked him and looted Tk. 500/-, a gold-ring, a wrist watch and other belongings worth taka 6074.50 and that he (P. W. 5 Lutfor Rahman) could identify the accused persons who are the residents of his own village by the light of the torch of the accused persons and asked them why the being known to him were doing so and hearing this, accused Foiz Uddin (absconding) dealt a dagger blow at his bally and accused Asad dealt a knife blow at his back with a view to kill him. Thereafter they tied his hands and legs and fastened him with a raintitree by the side of the road keeping half portion of his body in the water and then went away thinking that the had died. P. W. 5 then removed his tie of the hands by his teeth and then slowly came to the Pagla Bazar about 400 yards away from that place and called the shopkeepers thereof and accordingly P. W, 3 Sayed Ahmed, a shopkeeper woke up and brought him to the nearby Hafizia Madrasha and being informed by said Sayed Ahmed his victims father, P. W. 1 and other persons case there and he narrated the occurrence to them including his identification of accused Foizuddin, Asad and Kalam. P. W. 5 was first taken to Bormi Bazar and by the advice of the doctor of Bormi Bazar he was sent to Dhaka Medical Collage Hospital on the said night by hiring a Mini Bus and was admitted therein. Thereafter his father, P. W. 1 Jalaluddin lodged the F. I. R Ext-1 with P. S. Gaffargaon on 30.06.93 against the three accused persons.</i></p> <p><i>P. W. 12 Sub-Inspector Md. Shamsul Haque took up the investigation of the case, visited the P. W. prepared sketch map with separate index of the P. S. examined witnesses and finally submitted charge sheet against the 3 accused persons under section 394 of the Penal Code.</i></p> <p><i>At the commencement of the trial on perusal of record a charge under section 394 of the Penal Code was framed against all the three accused persons including absconding accused Foizuddin. The charged framed was read over and explained to the accused Asad ad Abul Kalam who pleaded not guilty thereto</i></p>

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ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p>and claimed to be tried in accordance with law.</p> <p>The prosecution in order to prove the charge against the accused persons examined 13 P. Ws and tendered.</p> <p>After the closure of the prosecution evidence the accused Asad and Kalam were examined under section 342 of the Cr. P. C. and their statements were recorded there under. They pleaded innocence and declined to adduce any D. Ws in their defence. The defence case, as it appears from the trend of the cross examination of the P. Ws is that the accused persons are innocent and that they have been falsely implicated out of political rivalry.</p> <p>Now the point for determination is whether the prosecution had succeeded in proving the charge under section 394 of the Penal Code against the accused persons beyond all reasonable doubts?</p> <p style="text-align: center;"><u>Findings and decision</u></p> <p>The prosecution in order to prove the charge levelled against the accused persons examined as many as 13 P. Ws.</p> <p>P. W. 1 Jalaluddin is the informant and father of the victim. In his examination in chief P. W. 1 says that the occurrence took place on the night following Thursday, the 24th June, 93 at bout 11/12 o'clock and that at that time he was at his dwelling house and that he being informed of the occurrence by P. W. 3 Sayed Ahmed came to the Pagla Bazar and found the victim Lutfor Rahman with bleeding injuries on his persons i.e. belly, hand etc, at the Furkania Madrasha near the said Bazar and that his son victim Lutfor Rahman at that time could talk a little and that he disclosed that he had identified the miscreants and that at first he was taken to Bormi Bazar and on the advice of a M. B. B. S. Doctor of Bormi Bazar he was taken to Dhaka Medical College Hospital by hiring a coaster on the said night and that he was admitted therein and under went and operation and that in the hospital he (Lutfor Rahman) disclosed that he had identified 3 dacoits namely accused Asad, Kalam and absconding accused Foizuddin and that Foizudin dealt a blow on his abdomen. P. W. 1 further states that his son, Lutfor on his return from Dhaka while reached Tack Para (Bishaw Road) near the house of Motaleb, the 3 accused persons attacked him for committing robbery and that his son identified those 3 accused persons and on his disclosure of the said identification, the accused persons caused him injuries and</p>

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ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p><i>robbed his various articles including taka 500/- in cash and then his son was tied with a tree by the side of the road and that after the departure of the robbers he removed his tie by his teeth and slowly came to Pagla Bazar and on his alarm the shopkeepers thereof including Sayed Ali came out P. W. 1 further stated that after 2/3 days of the occurrence he lodged the F. I. R which was written as per his narration. As to the delay in lodging the F. I. R. P. W. 1 states that he was fallen in ill and as such delay was caused in lodging the F. I. R During cross examination P. W. 1 says that at the time of occurrence there was rainy season and that witness Sayed Ahmed is his cousin and that Haress Ali is the son of his cousin, Salam is his nephew and witness Hashem is his brother-in-law (Illegible) and that in a case brought by one Rahim Uddin he was an accused P. W. 1 denies the suggestion that the accused persons were the witnesses in that case, P. W. 1 further says that on the night following Sunday he lodged a written ejahar at Gaffargaon P. S. P. W. 1 denies the suggestion that the occurrence was taken place at some other place by some other persons.</i></p> <p><i>P. W. 2 Rusmat Ali says that his dwelling house is situated in the south of Pagla Bazar and that on the following day of the occurrence (Friday) he heard the occurrence and visited the P. O. and saw blood therein. Defence declined to cross-examine him.</i></p> <p><i>P. W. 3 Syed Ahmed, a business man of Pagla Bazar states that on the night following 24.06.93 he was at his shop at Pagla Bazar and that at about 11/12 O'clock of the said night victim Lutfor Rahmand called him and then he woke u and found the victim with his injuries at his belly, hand and head etc and then he took him to the Madrasha by the side of the Bazar and keeping him with Hafez Abul Monsur he (P.W.3) went to the house of the Informant and informed him of the occurrence and that victim Lutfor told him that he had recognized dacoits.</i></p> <p><i>In cross P.W.3 says that victim Lutfor told him about the identifiction of the dacoits, but he (P.W.3) cannot say whether he has stated it to the police.</i></p> <p><i>P.W.4. Md. Foizul Islam says that he deals in medicine at Pagla Bazar and that on the night following 24.06.93 at about 1.p.m. Syed Mia (P.W.3) narrated him the occurrence. Defence declined to cross examine him.</i></p>

দ্রষ্টব্য :- কালো কালিতে অফিস নোটের একটি ক্রমিক নম্বর এবং লাল কালি কোর্টের আদেশ সমূহের ভিন্ন নম্বর দিতে হবে।

সি-২১/১৮-১৯(ল)/তারিখ ২৫-১১-১৮

গভর্নমেন্ট প্রিন্টিং প্রেস- কম্পিউটার শাখা-বি-৮৮৫/২০১৮-২০১৯/(লঃ)-২৭-১১-২০১৮-১,০০,০০০ কপি।

নম্বর ২০

ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p><i>P.W. 5 Md. Lutfor Rahman, is the victim. He states in his examination in chief that on 24.06.93 at about 4 p.m. he started from Dhaka to his dwelling house under Mymensingh District and that at about 7 p.m. he come to Bormi by bus and that without getting any engine-boat he came to the Bishaw road at Pagla Tack Pare by a small boat at about 11/30 p.m. and then he started for his home on foot through Bishaw road and ater coming about a quarter mile he saw light of torch and that on the road he saw (illegible) persons i.e. accused Asad and absconding accused Foizuddin armed with dagger and knife and also saw accused Kalam standing there on and that accused Foizuddin and Asad fastened his neck with a mafler and that he could identify these 3 persons who are his co-villagers and that when he asked them as to why they being known to him were doing so then they told that as he could recognized them he should not be left untouched and uttering this wards Foizuddin dealt a blow by a dagger on his belly and accused Asad dealt a knife blow on his back and then they snatched away 500/- taka from his pocket, a golden mog two shirts etc worth taka 6070 and then they tied him and went away with the belief that he had died and that he removed his ties of the hands by his teeth and tried to be saved and then he slowly came to the Pagla Bazar, about a quarter mile from that place and then he called the shopkeepers there (illegible) who brought him to the Hafizia Madrasha by the side of (illegible) and then many persons including his father came there and that he narrated the occurrence to them including his identification of the accused Foizuddin, Asad and Kalam and thereafter he was brought to Bormni Bazar by boat and his condition being oritical he was brought to Dhaka Medical College Hospital. wherein he under went an operation. During cross examination he says that he worked at a monthly salary of taka 3,000/- at the business centre belonging to his uncle at Dhaka and the at first one of the dacoits give him a blow at his head by a lathi and that the accused persons fascened his hands and legs by a mafler and tied him with a tree by the side of water and that half portion of his body was in the water and that he could remove his tie within 15/20 minutes after the departure of the accused persons. P.W.5 denies the suggestion that he did not disclose the name of any accused at the Pagla Bazar or that there was a long standing Land-dispute between</i></p>

ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p>them and the accused persons and due to the said grudge, the accused persons have been falsely implicated.</p> <p>P.W.6 Haressuddin says that at the time of occurrence he was at his residence which ties about a mile in the north of the P.O. and that on being informed of the occurrence he and (illegible) to the Pagla Bazar and found the critically injured Lutfor Rahman who informed him about the recognition of 3 accused persons namely Foizuddin, Asad and Kalam. During cross examination P.W.6 denies that he has not stated to the police about the victim's utterance regarding the recognition of the accused persons.</p> <p>P.W.7 Abul Hashedm says that at the time of occurrence he was at his residence which is about a quarter mile away from the P.W. and that on being informed, he came to the Pagla Bazar and saw the critically injured Lutfor Rahman who narrated him the occurrence including his recognition of accused Foizuddin, Asad and Kalam. He identifies the accused on the dock.</p> <p>During cross examination on he says that about one month after the occurrence he was examined by the police. He denies the suggestion put to him by the defence that the victim disclosed nothing about the identification of the accused persons on that he (P.W.7) did not state the same to the police.</p> <p>P.W.8 Md. Badal Mia says that the occurrence took place on the night following 24.06.93 and that he had a shop (medicine shop) at Pagla Bazar and that he woke up by the call of Syed Ali, the (illegible) shopkeeper and he saw critically injured Lutfor Rahman. During cross examination he says that the occurrence took place at about 11/30 p.m. when the victim Lutfor Rahman was returning home from Dhaka and that on the night of occurrence he saw the victim. Defence declined to cross examine him.</p> <p>P.W.10. Abdus Salam was tendered by the prosecution for the cross examination of the defence. During cross examination P.W.10 says that victim Lutfor Rahman is his cousin.</p> <p>P.W.11. Shamsul Haque S.I. of police is the I.O. of this case. During investigation he visited the P.O. prepared Sketch map, ext-3, with separate index, ext-4 of the P.O. and seized a mafler and a ganji vide seizurelist, ext-5 and recorded the statements of the witnesses and finally submitted charge sheet on 30.11.93 against 3 accused persons.</p>

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ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p><i>During cross examination P.W. 12 says that the distance between the P.O. and the Paglar Bazar is about 4 hundred yards and that victim is a member of a respectable family and that he recorded the statement of the victim on 18.07.93 at the P.O. and that he recorded the statement of P.W. Hashem on 30.06.93. He denied the suggestion that he has given an obliging charge sheet.</i></p> <p><i>P.W.13. Md. Aminur Rahman, the then O.C. Gaffargaon P.S. instituted the case on receipt of a written ejahar and that he filled up the F.I.R Form, ext-2. During cross examination P.W. 13 says that he got the written ejahar but he cannot say who has written it.</i></p> <p><i>On a perusal of the evidence discussed above it appears that all the P.Ws in a concerted voice have stated that the robbery was committed on the night following 24.06.93 at about 11/30 O'clock on the Bishaw road at Tack Para, about a quarter mile away from Pagla Bazar while P.W.5 Lutfor Rahman reched there on his way from Dhaka to his dwelling house at village Pagla Bazar under Gaffargaon P.S. I find no discrepancy in the evidence of all the P.Ws as regards the date, time and place (illegible) occurrence. Therefore I am led to hold that a robbery was committed on the night following 24.06.93 at about 11/11.30, O' clock at Tack Para and that the miscreants rebbed various articles of the victim P.W.5 Lutfor Rahman causing him seriously injured.</i></p> <p><i>Evidence on record shows that the victim P.W.5 Lutfor Rahman is the main witness in this case, being he alone was fallen in the robbery. The other witnesses had no occasion to observe the actual commission of the offence PW-5 Lutfor Rahman has categorically stated now the offence (illegible) committed and how he could identify the 3 accused persons. From his evidence it appears that he started from Dhaka on the date of occurrence i.e. 24.06.93 at about 4 p.m. for his home and that he reached Bormi at 7 p.m. by bus and thereafter finding no engine-boat he had to come through a small boat to the Bishaw road, at Tack Para and then after coming on foot to a distance, about a quarter mile form that place he was fallen in the robbery at about (illegible) p.m. It further appears that on his disclosure of recognition, the miscreants uttered the wards that since they had been recognised by him, he should not be lift untouched and then the accused Foizuddin dealt a deggar blow on his belly and accused Asad</i></p>

ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p>caused a blow on his back by a knife causing bleeding injuries. The accused persons had, thus, come close to the P.W.5 from where he could clearly see the face of the accused persons, who are his co-villagers. Furthermore, since the accused persons and the P.W.5 victim Lutfor Rahman are the residents of the same village the recognition of the accused persons was also possible by hearing their voice, The accused persons could not rebut the statement of P.W.5. There appears no animus or enmity between the accused persons and the victim Lutfor Rahman and accordingly. I find no reason as to why he (P.W.5) would falsely involve the accused persons. The occurrence took place in the middle of 1993 and the P.W.5 Lutfor Rahman was examined by the court on the latter part of 1996. I have found no inconsistency between his statement given to the police and his statement given to the court. If the accused persons were implicated falsely the P.W. 5 certainly would have changed his mind during the elapse of long three years.</p> <p>From the evidence on record it further appears that P.W.5 Lutfor Rahman by removing his tie by his teeth slowly came to Pagla Bazar, about 4 hundred yards away from the P.W. and on his alarm P.W.3 Syed Ahmed, a shopkeeper woke up and saw his critical condition and that this P.W.3 keeping the victim (P.W.5) at the Madrasha by the side of the Pagla Bazar went to the house of the victim and informed his father, the informant (P.W.1) of the occurrence. Both P.W. 1 Jalaluddin and P.W.3 Syed Ahmed in their evidence have stated that victim Lutfor Rahman told them about his identification of the miscreants though not specifically mentioning the name of the accused persons P.W.4 Foizul Islam, a business man at Pagla Bazar has stated that he heard the occurrence from P.W.3 Syed Ahmed. P.W.6 Haress uddin and P.W.7 Abul Hashem have stated that victim P.W.5 disclosed the name of the accused persons to them who came to the Furkania Madrasha and on the night of occurrence and saw the critically injures Lutfor Rahman P.W.8 Badal Mia and P.W.9 Azizul Haque have not stated anything about the recognition of the accused persons by the P.W. (illegible) Lutfor Rahman, though they had stated so to the police during their examination under section 161 of the Cr.P.C.</p> <p>Referring to the evidence of P.W. 1 Jalaluddin and P.W.3</p>

ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p><i>Syed Ahmed the learned counsel appearing for the accused persons submits that since those two P.Ws have not stated about the disclosure of the name of the accused persons by the victim P.W.5 the P.W.5's alleged identification of the accused should be disbelieved. Record shows that these two P.Ws have stated that the victim Lutfor Rahman having received of the injuries could talk a little and that he only disclosed that he had identified the miscreants. Record also shows that victim Lutfor's condition was so critical that on the very night of the occurrence on the advice of an M.B.B.s. Doctor at Bormi Bazar he was sent to Dhaka Medical Hospital by hiring a coaster and that he under went an operation. Therein, Thus P.W.1 and P.W.3 the father and the close relation of the victim respectively were very much anxious for saving life of the victim without giving much emphasis for hearing the names of those miscreants who had been identified by the victim. Furthermore, record shows that P.W.3 keeping the victim in the near by Madrasha went to the house of the victim for giving information of the occurrence and after while he (P.W.3) came there again with P.W.1. By that time come persons including P.Ws 6-9 were present to whom P.W.3 disclosed the name of the accused persons. Therefore I find no force in the argument of the learned counsel. The learned counsel further argues that the unusual delay in lodging the (illegible) has created doubt about the truth of the allegation. The occurrence took place on the night following 24. 06.93 at about 11.30 O'clock and that the victim was sent to the Dhaka Medical College hospital on the said night and that he under went an operation therein. As an explanation for delay in lodging the F.I.R it is stated therein that ২৫.০৬.৯৩ ইং তারিখে ভোর ৬ টার সময় ঢাকা মেডিকেল কলেজ হাসপাতালে নিয়া ভর্তি করি। আমি জখমীকে তার চিকিৎসার ব্যবস্থা করিয়া একটু সুস্থ হইলে তাহার নিকট বিস্তারিত ঘটনা জানিয়া শুনিয়া এজাহার করিতে দেড়ী হইল। Since P.W.1 the father of the victim as very much anxious about the treatment of his critically injured son, the explanation of delay offered by him in lodging the F.I.R appears to be satisfactory.</i></p> <p><i>In view of above discussion and materials on record. I (illegible) conclude that the P.W. 5 Lutfor Rahman, (the victim) who is the vital witness of this case, has given a plain picture of the occurrence including the identification of the 3 accused persons by him. The accused could not rebut his evidence. I find</i></p>

দ্রষ্টব্য :- কালো কালিতে অফিস নোটের একটি ক্রমিক নম্বর এবং লাল কালি কোর্টের আদেশ সমূহের ভিন্ন নম্বর দিতে হবে।

সি-২১/১৮-১৯(ল)/তারিখ ২৫-১১-১৮

গভর্নমেন্ট প্রিন্টিং প্রেস- কম্পিউটার শাখা-বি-৮৮৫/২০১৮-২০১৯/(লঃ)-২৭-১১-২০১৮-১,০০,০০০ কপি।

ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p><i>no reason to disbelieve his evidence. He has been corroborated by other P.W.s, particularly P.W.s 1,3,6 and 7. The abscondence of accused Foizuddin is a relevant fact which also support the prosecution case.</i></p> <p><i>In view of above discussion and the materials on record. I am of the opinion that the prosecution has succeeded in proving the charge u\s 394 of the Penal Code against three accused person beyond all reasonable doubts.</i></p> <p><i>I am also of opinion that a sentence of imprisonment for five years will meet the ends of Justice.</i></p> <p><i>Hence, it is,</i></p> <p style="text-align: center;"><i>Ordered</i></p> <p><i>that the accused (1) Foizuddin (absconding) (2) Asad and (3) Kalam be found guilty of the charge under section 394 of the Penal Code and be convicted thereunder and sentenced to suffer rigorous imprisonment for 5(five) years and to pay a fine of taka 500/- (five hundred) each, in default to suffer rigorous imprisonment for 2 (two) months more.</i></p> <p><i>The sentence against absconding accused Foizuddin will be affective from the date of his taking into custody.</i></p> <p><i>Let the order portion of this judgment be sent to the D.M/S.P., Mymensingh for their information and necessary action.</i></p> <p><i>Dictated & corrected by me.</i></p> <div><div><i>Sd/illegible</i> <i>24.02.1997</i> <i>(A.R. Masud)</i> <i>Additional Sessions Judge,</i> <i>3rd Court, Mymensingh.</i></div><div><i>Sd/illegible</i> <i>24.02.1997</i> <i>(A.R. Masud)</i> <i>Additional Sessions Judge,</i> <i>3rd Court, Mymensingh."</i></div></div> <p>প্রসিকিউশন পক্ষের সকল স্বাক্ষীগণের সাক্ষ্য সবিস্তারে পর্যালোচনায় প্রতীয়মান যে, সকল সাক্ষীগণ পরস্পর পরস্পরকে সমর্থন করে বক্তব্য প্রদান করে প্রসিকিউশন পক্ষের অভিযোগ সন্দেহাতীতভাবে প্রমাণ করতে সক্ষম হয়েছেন। বিচারিক আদালতের রায় পর্যালোচনায় কোন প্রকার ত্রুটি বিচ্যুতি পরিলক্ষিত হয় না। বিজ্ঞ বিচারিক আদালতের রায় ও দন্ডাদেশ সঠিক এবং ন্যায্যানুগ হয়েছে। অত্র আপীলটি না-মঞ্জুর যোগ্য।</p> <p>অতএব, আদেশ হয় যে, অত্র আপীলটি নামঞ্জুর করা হলো।</p> <p>বিজ্ঞ অতিরিক্ত দায়রা জজ, ৩য় আদালত, ময়মনসিংহ কর্তৃক দায়রা মামলা নং- ৩৩/১৯৯৬-এ প্রদত্ত বিগত ইংরেজী ২৪.০২.১৯৯৭ তারিখের রায় ও দন্ডাদেশ এতদ্বারা বহাল রাখা হলো।</p> <p>অত্র রায় ও আদেশের অনুলিপি প্রাপ্তির ৩০(ত্রিশ) দিনের মধ্যে আসামী-</p>

নম্বর ২০

ক্রমিক নং	তারিখ	নোট ও আদেশ
		<p>আপীলকারীদ্বয়কে বিজ্ঞ বিচারিক আদালতে আত্মসমর্পনের নির্দেশ প্রদান করা হলো। ব্যর্থতায় বিজ্ঞ বিচারিক আদালত আসামীদ্বয়কে গ্রেফতারের প্রয়োজনীয় পদক্ষেপ গ্রহন করবেন।</p> <p>অত্র রায়ের অনুলিপিসহ অধস্তন আদালতের নথি সংশ্লিষ্ট আদালতে দ্রুত প্রেরণ করা হউক।</p> <p>(বিচারপতি মোঃ আশরাফুল কামাল)</p>