

**In the Supreme Court of Bangladesh
High Court Division
(Criminal Original Jurisdiction)**

Present:

Mr. Justice Ashish Ranjan Das

And

Mr. Justice Md. Riaz Uddin Khan

Criminal Misc. No. 26565 of 2023

In the matter of:

Md. Bacchu Howlader

.....Accused-petitioners.

Versus

The State .

.....Opposite party.

None appears for the accused- petitioner.

Heard and Judgment on: 03.12.2023.

Ashish Ranjan Das, J.

This has been an application under Section 498 of the Code of Criminal Procedure (for short the Code).

None appeared to press the Rule.

Although the matter has been occurring in the daily cause list over the period.

However, the learned Deputy Attorney General opposes the rule.

Short fact is that this petitioner alongwith few others used to be habitual dacoits. According to petitioner's judicial confession in the fateful night. This petitioner and his friends committed dacoity and in the bargain one passenger of the vehicle a jump down and died.

Be that as it may according to the confession the petitioner is a habitual dacoit. Charge has already been framed and the matter is awaiting trial.

In the situation we find that no purpose of justice would be served if is enlarged on bail at this stage in this situation.

As a result the application is rejected and the Rule is discharged.

Communicate the order at once.

Send down the lower court record together with the copy of the judgment at once.

Md. Riaz Uddin Khan.J

I agree.