

**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. 52749 of 2023

In the matter of:

Md. Saddam Hossain

.....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 is an application for bail under Section 498 of the Code of Criminal Procedure.

A bail application was rejected by the learned Additional Sessions Judge, 3rd Court, Cox'sbazar in connection with this S.T. Case No. 2081 of 2022.

This has been an allegation against the petitioner by his father-in-law of committing murder of the wife of this petitioner. He seems to have made a judicial

confession under section 164 of the Code of Criminal Procedure. It further appears that examination of P.Ws. has already started.

None appears to press the Rule.

Although the matter has been appearing in the daily cause list over the period. The learned Deputy Attorney General formally opposes the rule.

In the situation we find no merit in this application since examination of P.Ws. has already started. Thus the application is dismissed and the Rule is discharged.

However the learned Court below will be at liberty to reconsider his bail in a just situation and this refusal of bail is not supposed to tell upon the merit of the case in trial.

Communicate the order at once.

Md. Riaz Uddin Khan.J

I agree.