

**Criminal Appeal No. 2724 of 2024****Present:****Mr. Justice Md. Shohrwardi****Mr. Golam Abbas Chowdhury, Advocate with****Mr. Khan Mahamudul Hasan, Advocate****.....For the appellant petitioner.****Mr. Md. Emran Kahn, DAG with****Ms. Nasrin Hena, AAG with****Mr. Md. Uzzal Hussain, AAG with****Mr. Abu Saleh Apel Mahamud, AAG****.....For the State****01.09.2024**

This is an application for bail in pending appeal filed against the judgment and order of conviction and sentence dated 20.03.2024 passed by the Special Judge, Court No. 7, Dhaka in Special Case No. 06 of 2022(Metro Special Case No. 154 of 2020) arising out of Dudok Sozeka Dhaka-1 Case No. 8 dated 20.10.2020 convicting the petitioner under section 409 of the Penal Code, 1860 and sentencing him thereunder to suffer rigorous imprisonment for 5 (five) years and to pay a fine of Tk. 292318.40.

The learned Advocate Mr. Golam Abbas Chowdhury appearing on behalf of the appellant submits that during covid period from April 2020 to June 2020 total Tk. 2,92,318.40 were wrongly credited in the account of the convict petitioner and at the relevant time there was government holy day due to covid situation and after re-opening the office, he deposited the said amount on 06.07.2020. He further submits that in the mean time the appellant served in the custody more than 05 months. Therefore, he prayed for bail.

The learned Deputy Attorney General Mr. Md. Emran Khan appearing on behalf of the state opposes the prayer for bail.

I have perused the evidence, the impugned judgment and order passed by the trial court and the application for bail.

Considering the submission of the learned Advocate for the appellant evidence, facts and circumstances of the case and the period of custody, I am inclined to enlarge the appellant petitioner on bail.

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Pending hearing of the appeal, let the appellant petitioner Md. Shatil Bin Razzak son of Md. Abdul Razzak be enlarged on bail for 6 (six) months from date subject to satisfaction of the Special Judge, Special Court No. 7, Dhaka.