

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

**Criminal Appeal No.2999 of 2024**

**In the matter of:**

An appeal under Section 30 of the Special Powers Act, 1974.

**-And-**

**In the matter of:**

Md. Mojibur Rahman

.... Accused-Appellant

**-Versus-**

The State

.... Opposite Party

Mr. Md. Abdus Salam, Advocate

.... For the accused-Appellant.

Mr. Sujit Chatterjee, D.A.G. with

Mr. Moududa Begum, A.A.G.

Mr. Mirza Md. Soyeb Muhit, A.A.G.

Mr. Mohammad Selim, A.A.G.

Mr. Zahid Ahmed (Hero), AAG

.... For the State.

**Present:**

**Mr. Justice S M Kuddus Zaman**

**And**

**Mr. Justice A.K.M. Rabiul Hassan**

**The 21<sup>st</sup> May 2024**

This is an appeal under Section 30 of the Special Powers Act, 1974.

In this case under Section 19A of the Arms Act, 1974 three country made pistol and one shutar gun were recovered

from the joint possession of the petitioner and another co-accused.

In view of the quantity of the fire arms allegedly recovered from the possession of the petitioner we are not inclined to grant bail to the appellant at this point of time but we feel it necessary to pass a direction upon the Trial Court below for conclusion of the trial of the case expeditiously.

Accordingly, we are directing the learned Judge of Special Tribunal No.2, Chapainawabgonj to conclude the trial of the case within 4(four) months from the date of receipt of this order without allowing any adjournment beyond 15(fifteen) days.

The days covered by the adjournment at the instance of the accused be excluded from above period.

But if the learned Judge fails to conclude the trial within above period he will have to explain in writing to this Court through the Registrar General, Supreme Court of Bangladesh as to why the trial could not be concluded.

The learned Judge shall also consider the petition for bail if any filed by the appellant with sympathy and in accordance with law.

The Superintendent of Police, Chapainawabgonj is directed to ensure that the prosecution witnesses are produced before the Trial Court on the date to be fixed by the Court without any fail.

The Additional Public Prosecutor, Chapainawabgonj is directed not to submit any petition for adjournment if any prosecution witness appears to give evidence.

Let copies of this order be sent to the Registrar General, Supreme Court of Bangladesh, learned Judge, Special Tribunal No.2, Chapianawabgonj, Superintendant of Police, Chapainawabgonj and Additional Public Prosecutor, Chapianawabgonj at once.

With above direction this appeal is disposed of.

MD. MASUDUR RAHMAN  
BENCH OFFICER