

**IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(CRIMINAL MISCELLANEOUS JURISDICITON)**

Present:

Mr. Justice Md. Nazrul Islam Talukder

And

Mr. Justice Kazi Ebadoth Hossain

Criminal Miscellaneous Case No. 7236 of 2022

Asaduzzaman Sumon @ Dibba Sumon

..... **Accused-petitioner.**

-Versus-

The State

..... **Opposite party.**

No one appears,

..... **For the Accused-petitioner.**

Mr. A K M Amin Uddin, D.A.G with

Mr. Md. Asaduzzaman, A.A.G with

Mrs. Afifa Begum Swapna, A.A.G and

Mr. Sarwar Akhtar Masud, A.A.G,

..... **For the State-opposite-party.**

Heard and Judgment on: 09.05.2024.

Md. Nazrul Islam Talukder, J:

The petitioner obtained this Rule on an application under section 498 of the Code of Criminal Procedure.

None appears on behalf of the accused-petitioner to press the Rule, when it is taken up for hearing today.

Mr. A K M Amin Uddin, the learned Deputy Attorney-General, appearing on behalf of the state-opposite-party opposes the Rule.

We have gone through the record.

It appears from the record that at the time of issuance of the Rule, the accused-petitioner was enlarged on ad-interim bail till disposal of the Rule.

However, there is no allegation of misuse of the privilege of ad-interim bail. As such we are inclined to allow the accused-petitioner to remain on bail till disposal of the case, if the case is not already been disposed of.

In the result, the Rule is made absolute. Ad-interim bail granted to the accused-petitioner earlier is hereby confirmed.

The learned judge of the Court below is at liberty to cancel the bail of the accused-petitioner in accordance with law, if any allegation of misuse of privilege of bail is made before it.

Communicate the order, at once.

Kazi Ebadoth Hossain, J.

I agree