

**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. 23639 of 2022**

Md. Sabuz Sarkar alias Sabuz and another

..... **Accused-petitioners.**

**-Versus-**

The State

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

No one appears,

..... **For the Accused-petitioners.**

Mr. AKM 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 petitioners obtained this Rule on an application under section 498 of the Code of Criminal Procedure.

None appears on behalf of the accused-petitioners 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-petitioners were 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-petitioners 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-petitioners earlier is hereby confirmed.

The learned judge of the Court below is at liberty to cancel the bail of the accused-petitioners 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