

Criminal Appeal No. 8742 of 2024**Present:****Mr. Justice Md. Shohrowardi**

Mr. Md. Shah Paran Chowdhury, Advocate
.....For the appellant-petitioner.
Mr. Md. Shahidul Islam, AAG with
Mrs. Sharmin Hamid, A.A.G
....for the State

15.12.2024

Records be called for.

This appeal will be heard and issue the usual notices upon the respondent.

The preparation of paper book is hereby dispensed with.

The realization of fine be stayed.

The learned Advocate Mr. Md. Shah Paran Chowdhury appearing on behalf of the appellant-petitioner submits that before passing the impugned judgment and order by the trial court, the appellant petitioner served in custody for about three months and after passing the impugned judgment and order he is languishing in the custody for about two months. He further submits that the seizure list witnesses were not examined in the case. He prayed for bail of the appellant-petitioner.

The learned Assistant Attorney General Mrs. Sharmin Hamid appearing on behalf of the state opposes the prayer for bail.

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

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

Pending hearing of appeal, let the appellant-petitioner, **Md. Khokon Miah son of late Hasim Miah** be enlarged on bail subject to satisfaction of the Additional Sessions Judge, Court No. 2, Brahmanbaria for 6 (six) months from date.

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