

Present:

Mr. Justice A.K.M. Asaduzzaman

And

Mr. Justice Syed Enayet Hossain

Criminal Misc. Case No. 14257 of 2008

Tarique Rahman

.....Petitioner.

-Versus-

The State

.....Opposite party.

Mr. A.M. Mahbub Uddin, Senior Advocate with

Mr. Kayser Kamal, Advocate with

Mr. Md. Zakir Hossain Bhuiyan, Advocate with

Mr. Md. Moniruzzaman Asad, Advocate with

Mr. Gazi Kamrul Islam, Advocate with

Mr. Md. Shahiduzzaman, Advocate with

Mr. Md. Mahmudul Arefin, Advocate with

Mr. Maksud Ullah, Advocate with

Mr. K.R. Khan Pathan, Advocate with

Mr. Md. Roqonuzzaman, Advocate with

Mr. H.M. Shanjid Siddique, Advocate with

Mr. Khan Md. Moinul Hasan, Advocate with

Ms. Tamanna Khanam Irin, Advocate with

Mr. M. Sabbir Ahmed, Advocate and

Mr. Manabendrey Roy Madol, Advocate and

Mr. Tariqul Islam, Advocate and  
Mr. M. Mahbubur Rahman Khan, Advocate  
.....For the petitioner.

Mr. Md. Jasim Sarker, D.A.G. with  
Mr. Rasel Ahmmad, D.A.G. with  
Mr. Md. Geas Uddin Gazi, A.A.G. with  
Mrs. Shamima Akhter Banu, A.A.G. and  
Mrs. Laboni Akter, A.A.G.

.. ... For the state.

Heard and judgment on 23<sup>rd</sup> October, 2024.

A.K.M. Asaduzzaman,J.

This rule was issued calling upon the opposite party to show cause as to why the petitioner should not be enlarged on bail in Special Case No. 18 of 2008 arising out of the Metro Special Complaint Petition Case No. 109 of 2008 under section 165 and 166 of the Income Tax Ordinance, 1984 read with Rule 15 of the Emergency Power Rules 2007, now pending in the Court of Special Judge, Court No.10, Sher-e-Bangla Nagar, Dhaka.

Since the petitioner failed to get bail from the court below, he moved before this Hon'ble Court and obtained the instant rule and ad-interim bail.

It is submitted that considering the submission of the

petitioner to the effect that the petitioner has got a fair chance of acquittal in this case, he was granted ad-interim bail earlier by this Court. The case is still pending without any progress and commencement of trial is uncertain. Thereafter since he did not misuse the privilege of bail, as such the learned advocate prays for confirmation of bail of the petitioner.

The learned Deputy Attorney General appearing for the opposite party opposes the rule.

Heard the learned Advocate of both the sides and perused the record and the documents annexed to the application.

Perusing the FIR and other relevant documents annexed to the application, we find substance in the submission of the learned Advocate for the petitioner and the petitioner since did not misuse the privilege of bail, as such we are inclined to confirm his bail.

In the result, the Rule is made absolute and the bail granted earlier by this Court to the petitioner is hereby confirmed.

Communicate the order at once.

Syed Enayet Hossain, J:

I agree.