

IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION, DHAKA
(CRIMINAL MISCELLANEOUS JURISDICTION)

Dated- 28.02.2022

Present

Mr. Justice Md. Akram Hossain Chowdhury

And

Mr. Justice K. M. Zahid Sarwar



Criminal Misc. Case No. 10806 of 2022(Arising out of Chandina Police Station Case No. 16 dated 23.12.2021 corresponding to G. R. No.354 of 2021, now pending in the Court of learned Chief Judicial Magistrate,Cumilla).

Most. Jesmin Akhter @ Shima Begum Wife of late Zahangir Alam Daughter of late Astanur Rahman of village-Mandail Mojidpar,at Present of village-Zinzira Hawli (Sayed Rahmanar Bari, Bari No.02,Ward No.03,Road No.1/1(Vasoman),Police Station-Keraniganj Model,District-Dhaka.....Accused-Petitioner

-VERSUS-

1. The State,

.....Opposite Party.

Mr. Md. Murad Sarwer Bhuiyan, Advocate
Dr. Md. Bashir Ahmed, D.A.G with
Mr. Mohammad Shafayet Zamil, AAG and
Mr. Urbashi Borua, AAG and
Mr. Md. Shamim Khan, A.A.G and
Mr. A.K.M. Nur Nabi (Sumon), AAG

.....for the Convict-Petitioner

.....for the State

28.02.2022

Order

Records need not be called for.

Let a Rule be issued calling upon the opposite party to show cause as to why the accused-petitioners should not enlarged on bail in Chandina Police Station Case No. 16 dated 23.12.2021 corresponding to G. R. No.354 of 2021 under Serial No. 19(ka) of the table appended to Section 36(1)/41 of the Madok Drobbio Niontron Ain,2018, now pending in the Court of Chief Judicial Magistrate,Cumilla and/or such other or further order or orders as to this court may seem fit and proper.

Heard the learned Advocate in support of the bail prayer while the learned DAG opposes the same.

In consideration of the facts that the accused petitioner was though arrested in connection with the case on 23.12.2022 for holding illegal possession of 03 (three) Kgs of cannabis out of 09(nine) Kgs but since then he is suffering in the custody without trial,even thouth, in the forwarding no case found pending and the case is still under investigation and thus,we are inclined to grant bail to the accused petitioner for a limited period.

Pending hearing of the Rule, let the accused-petitioner Most. Jesmin Akhter @ Shima Begum Wife of late Zahangir Alam be enlarged on ad-interim bail for a period of 1(one) year from date, on furnishing bail bond subject to the satisfaction of the Chief Judicial Magistrate,Cumilla.

The opposite party/parties shall respond to the Rule within 4(four) weeks from the date of service/deemed service of notice of the Rule.

The petitioner shall, within 7 days, put in 2(two) sets of requisites for service of notice of the Rule upon the opposite party in normal course as well as by registered post with A/D as per HCD Rules.

Office shall not issue any certified copy or other copy of this order to the petitioner unless requisites are put in (vide HCD Rules, Chapter IVA Rule 3(6)).

Md. Akram Hossain Chowdhury
K M Zahid Sarwar

Memo No.

Copy of the court's order dated 28.02.2022 forwarded to the

1. Chief Judicial Magistrate,Cumilla for information and necessary action.


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Examinated By


Superintendent


Order
(Md. Zakir Hossain Patwary)
Assistant Registrar
Phone-02223358584

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