

1969 S C M R 388

Present: Muhammad Munir, C. J., M. Shahabuddin, Muhammad Sharif and Aminuddin Ahmad, JJ

MD. NAZIR HOSSAIN SARKAR AND ANOTHER Appellants

versus

THE STATE-Respondent

Criminal Appeal No. 9-D of 1957, decided on 28th November 1957.

(On appeal from the judgment and order of the High Court of East Pakistan at Dacca, dated the 6th March 1957, in Appeal No. 76 of 1957).

Penal Code (XLV of 1860)---

---S. 302-Circumstantial evidence Accused cannot be found guilty on, unless all reasonable hypotheses consistent with his innocence hart been excluded.

Abu Md. Abdulla, Advocate Supreme Court instructed by K. Hossain, Attorney for Appellants.

Abdul Ghani, Advocate Supreme Court instructed by Shahabuddin Ahmad, Attorney for the State:

Date of hearing : 28th November 1957.