

**Present**  
**Mr. Justice Sheikh Abdul Awal**  
**Criminal Appeal No. 12310 of 2016**

Md. selim

.....Convict-appellant.

-Versus-

The State

.....Respondent.

No one appears.

.....For the convict-appellant.

Ms. Shahida Khatoon, D.A.G with

Ms. Sabina Perven, A.A.G with

Ms. Kohenoor Akter, A.A.G.

.....For the respondent

**Judgment on 10.03.2024.**

Sheikh Abdul Awal, J:

This Criminal Appeal at the instance of the convict appellant, Md. selim is directed against the impugned judgment and order of conviction and sentence dated 31.03.2015 passed by the learned Additional Metropolitan Sessions Judge, 1<sup>st</sup> Court, Dhaka in Metropolitan Sessions Case No. 1056 of 2009 arising out of G.R. No. 178 of 2008 corresponding to Demra Police Station Case No. 05, dated 07.12.2008 convicting the accused appellant under table 3(Kha) of section 19(1) of the Madok Drabba Neyontron Ain, 1990 and

sentencing him thereunder to suffer rigorous imprisonment for a period of 5(five) years and to pay a fine of Taka 2,000/-(two thousand) in default to suffer rigorous imprisonment for 02 (two) months more with a direction that total period of custody prior conviction shall be deducted from respective sentence of imprisonment.

No one appears for the appellant.

In view of the fact that this petty old criminal Appeal arising out of 5(five) years sentence has been dragging before this Court for more than 7 years, I am inclined to dispose of the same.

At the time of pronouncement of judgment, it appears from the record that this Court on 17.05.2017 After admission of appeal granted ad-interim bail to the accused appellant for a period of 06(six) months and thereafter, no one took any steps to extend the order of bail as a result of which the said bail was expired long before on 17.11.2017 In that view of the matter, I have no hesitation to hold that the convict appellant is a fugitive from law and justice.

In the case of Anti-Corruption Commission Vs. Dr. HBM Iqbal Alamgir, reported in 15 BLC(AD) 44, it has

been held that the Court would not act in aid of an accused person who is a fugitive from law and justice.

In view of the above, this Appeal must fail.

In the result, the appeal is dismissed. The convict-appellant, Md. selim is directed to surrender his bail bond within 3 (three) months from today to suffer his sentence, failing which the Trial Court below shall take necessary steps to secure arrest against the convict appellant.

Send down the lower Court records at once.