

Present

Mr. Justice Sheikh Abdul Awal

Criminal Appeal No. 3411 of 2017

Md. Liakot Ali and another

.....Convict-appellants.

-Versus-

The State

.....Respondent.

No one appears

.....For the convict-appellants.

Ms. Israt Jahan, A.A.G with

Ms. Kamrunnahar Lipi, A.A.G.

..... For the respondent.

Judgment on 04.12.2024.

Sheikh Abdul Awal, J:

This criminal appeal at the instance of convict appellant Nos. 1. Md. Liakot Ali and 2. Md. Abdul Mannan is directed against the impugned judgment and order of conviction and Sentence dated 23.03.2017 passed by the learned Judge, Special Tribunal No. 5, Jessore in Special Tribunal case No. 311 of 2007 arising out of S.G.R. No. 16 of 2007 corresponding to Chowgacha Police Station case No. 7, dated 18.06.2007 convicting the accused appellants under section 25B(1)(2) of the Special Powers Act, 1974 and sentencing them thereunder to suffer rigorous imprisonment for a period of 02(two) years and

to pay a fine of Taka 2,000/-(two thousand) in default to suffer imprisonment for 01 (one) year more.

No one appears for the convict appellants despite of fact that this matter has been appearing in the list for hearing with the name of the learned Advocate for the appellants days together.

In view of the fact that this petty old criminal Appeal arising out of 2(two) 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 04.04.2017 at the time of admission of appeal granted ad-interim bail to the accused appellants 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 04.10.2017. In that view of the matter, I have no hesitation to hold that the convict appellants are 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. Since the appeal is dismissed the convict- appellant Nos. 1. Md. Liakot Ali and 2. Md. Abdul Mannan are directed to surrender their bail bond within 3 (three) months from today to suffer their sentence, failing which the Trial Court below shall take necessary steps to secure arrest against the convict-appellants.

Send down the lower Court records at once.