

Present

Mr. Justice Sheikh Abdul Awal

Criminal Appeal No. 3066 of 2018

Md. Shahjahan Hossain

.....Convict-appellant.

-Versus-

The State

.....Respondent.

No one appears

.....For the convict-appellant.

Ms. Shahida Khatoon, D.A.G with

Ms. Koheenoor Akter, A.A.G.

..... For the respondent.

Judgment on 07.07.2024.

Sheikh Abdul Awal, J:

This criminal appeal at the instance of the convict appellant, Md. Shahjahan Hossain is directed against the impugned judgment and order of conviction and Sentence dated 08.03.2018 passed by the learned Additional Sessions Judge, 2nd Court, Jessore in Session Case No. 227 of 2008 arising out of G.R. No. 842 of 2007 corresponding to Kotwali Model Police Station Case No. 64 dated 31.12.2007 convicting the accused appellant and 2 others under Table 1(Ka) of Section 19(1) and 19(4) of the Madak Drabbya Niyatron Ain, 1990 and sentencing them thereunder to suffer rigorous imprisonment for a period of 2(two) years

and to pay a fine of Taka 10,000/-(ten thousand) in default to suffer rigorous imprisonment for 02 (two) months more each.

No one appears for the convict appellant despite of fact that this matter has been appearing in the list for hearing with the name of the learned Advocate for the appellant 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 9 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 27.03.2018 at the time of 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 27.09.2018. 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. Since the appeal is dismissed the convict- appellant, Md. Shahjahan Hossain 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.