

Present
Mr. Justice Sheikh Abdul Awal
Criminal Appeal No. 5370 of 2018

Md. Nazrul Islam

.....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 21.03.2024.

Sheikh Abdul Awal, J:

This Criminal Appeal at the instance of the convict appellant, Md. Nazrul Islam is directed against the impugned judgment and order of conviction and sentence dated 30.04.2014 passed by the learned Special Sessions Judge and Divisional Special Judge, Khulna in Session Case No. 201 of 2009 arising out of G.R. No. 1262 of 2008 corresponding to Khanjahan Ali Police Station Case No. 07 dated 10.09.2008 convicting the accused appellant under table 3(Ka) of Section 19(1)/19(4) of the Madak Drobbya Niyatron Ain, 1990

and sentencing him thereunder, to suffer rigorous imprisonment for a period of 3(three) years and to pay a fine of Taka 5,000/-(five thousand) in default to suffer rigorous imprisonment for 06 (six) months more.

No one appears for the appellant.

In view of the fact that this petty old criminal Appeal arising out of 3(three) years sentence, I am inclined to dispose of the same.

At the time of pronouncement of judgment, it appears from the record that this Court on 29.05.2018 at the time of admission of appeal granted ad-interim bail to the accused appellant for a period of 01(one) year 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 29.05.2019. 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. Nazrul Islam 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.