

Present
Mr. Justice Sheikh Abdul Awal
Criminal Appeal No. 5369 of 2018

Md. Abul Kashem

.....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 12.03.2024.

Sheikh Abdul Awal, J:

This Criminal Appeal at the instance of the convict appellant, Md. Abul Kashem is directed against the impugned judgment and order of conviction and sentence dated 22.10.2017 passed by the learned Additional Sessions Judge Court, Munshigonj in Sessions Trial Case No. 48 of 2007 arising out of G.R. No. 322 of 2007 (Gajaria) corresponding to Gajaria Police Station Case No. 12 dated 15.06.2007 convicting the accused appellant under table 3(Ka) of section 19(1) of the Madok Drabbya Niyontron Ain, 1990 and

sentencing him thereunder to suffer rigorous imprisonment for a period of 03(three) years and to pay a fine of Tk. 2,000/-(two thousand) in default to suffer simple imprisonment for 03 (three) months more.

No one appears for the appellant.

In view of the fact that this petty old criminal Appeal arising out of 03(three) years sentence has been dragging before this Court for more than 4 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 31.05.2018 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 31.05.2019. 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. Abul Kashem 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.