

Present

Mr. Justice Sheikh Abdul Awal

Criminal Appeal No. 11849 of 2018

Md. Lokman Hossen

.....Convict-appellant.

-Versus-

The State

.....Respondent.

Mr. Md. Hemaithullah, Advocate

....For the convict-appellant.

Ms. Israt Jahan, A.A.G with

Ms. Kamrunnahar Lipi, A.A.G.

..... For the respondent.

Judgment on 05.12.2024.

Sheikh Abdul Awal, J:

This criminal appeal at the instance of convict appellant, Md. Lokman Hossen is directed against the impugned judgment and order of conviction and Sentence dated 22.10.2018 passed by the learned Judge, Nari-O-Shishu Nirjatan Daman Tribunal No. 01, Brahmanbaria in Nari-O-Shishu case No. 318 of 2010 arising out of G.R. No. 196 of 2010 corresponding to Brahmanbaria Mopdel Police station Case No. 11, dated 04.03.2010 convicting the accused appellant under section 11(Ga) of the Nari-O-Shishu Nirjatan Damon Ain, 2000 (amended in 2003) and sentencing him thereunder to suffer rigorous

imprisonment for a period of 01(one) year and to pay a fine of Taka 50,000/-(fifty thousand) in default to suffer rigorous imprisonment for 06 (six) months more.

Mr. Md. Hemaithullah, the learned Advocate appearing for the convict appellant submits that the convict appellant is innocent, who has been made scapegoat in the case although the learned Judge, Nari-O-Shishu Nirjatan Daman Tribunal No. 01, Brahmanbaria without considering the evidence on record from a correct angle most illegally found the accused appellant guilty under section 11(Ga) of the Nari-O-Shishu Nirjatan Damon Ain, 2000 (Amended in 2003).

Having heard the learned Advocate and having perused the record.

At the time of pronouncement of judgment, it appears from the record that this Court on 13.11.2018 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 13.11.2019. 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. Since the appeal is dismissed the convict- appellant Md. Lokman Hossen is directed to surrender their 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.