

**Present**

**Mr. Justice Sheikh Abdul Awal**

**Criminal Appeal No. 12003 of 2018**

Md. Tazul Islam @ Kajal

.....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. Koheenoor Akter, A.A.G.

..... For the respondent

**Judgment on 16.05.2024.**

**Sheikh Abdul Awal, J:**

This criminal appeal at the instance of convict appellant, Md. Tazul Islam @ Kajal is directed against the impugned judgment and order of conviction and Sentence dated 16.10.2018 passed by the learned Additional Sessions Judge, 1<sup>st</sup> Court, Comilla in Sessions Case No. 357 of 2012 arising out of G.R. No. 205 of 2011 corresponding to Laksam Railway Police Station Case No. 05 dated 15.12.2011 convicting the accused appellant under table 3(ka) of section 19(1) of the Madok Drobbo Niontron Ain, 1990 and sentencing him thereunder, to suffer rigorous

imprisonment for a period of 2(two) years and to pay a fine of Taka 2,000/-(two thousand) in default to suffer simple imprisonment for 15 (fifteen) days more.

No one appears for the convict appellant.

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 6 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 20.11.2018 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 20.11.2019. 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. Tazul Islam @ Kajal 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.