

Present
Mr. Justice Sheikh Abdul Awal
Criminal Appeal No. 1557 of 2018

Md. Jahangir Alam Driver

.....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 20.03.2024.

Sheikh Abdul Awal, J:

This Criminal Appeal at the instance of the convict appellant, Md. Jahangir Alam Driver is directed against the impugned judgment and order of conviction and sentence dated 15.01.2018 passed by the learned Additional Metropolitan Sessions Judge, 2nd Court, Chittagong in Sessions Case No. 315 of 2005 arising out of G.R. No. 155 of 2005 corresponding to Dabble mooring Police Station Case No. 14 dated 16.03.2005 convicting the accused appellant under Section 22(Ga) of the Madok Drayabba Niyatron Ain, 1990 and

sentencing him thereunder, to suffer rigorous imprisonment for a period of 2(two) years and to pay a fine of Taka 5,000/-(five thousand) in default to suffer simple imprisonment for 01 (one) month more.

No one appears for the appellant.

In view of the fact that this petty old criminal Appeal arising out of 2(two) 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 26.02.2018 at the time of admission of appeal granted ad-interim bail to the accused appellant for a period of 01(one) year, which was lastly extended on 05.02.2019 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 05.08.2019. 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. Jahangir Alam Driver 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.