

Present
Mr. Justice Sheikh Abdul Awal
Criminal Revision No. 1465 of 2006

Golam Mostafa

.....Convict-petitioner.

-Versus-

The State

.....Opposite party.

No one appears.

.....For the convict-petitioner.

Ms. Shahida Khatoon, D.A.G with
Ms. Sabina Perven, A.A.G with
Ms. Kohenoor Akter, A.A.G.

.....For the opposite party

Judgment on 28.02.2024.

Sheikh Abdul Awal, J:

This Rule was issued calling upon the opposite party to show cause as to why the impugned judgment and order dated 08.10.2006 passed by the learned Additional Sessions Judge, Joypurhat in Criminal Appeal No. 51 of 2005 dismissing the appeal and affirming the judgment and order of conviction and sentence dated 20.08.2005 passed by the learned Magistrate, 1st. Class, Joypurhat in G.R. No. 240 of 2000 convicting the accused petitioner under Section 323 of the Penal Code and sentencing him thereunder to

suffer imprisonment for a period of 4(four) months should not be set-aside and/or such other or further order or orders passed as to this Court may seem fit and proper.

No one appears for the convict petitioner.

In view of the fact that this petty old criminal Revision arising out of 4(four) months sentence has been dragging before this Court for more than 18 years, I am inclined to dispose of it.

At the time of pronouncement of judgment, it appears from the record that this Court on 14.12.2006 at the time of issuance of the Rule granted bail to the convict petitioner for a period of 03(three) 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 14.03.2007. In that view of the matter, I have no hesitation to hold that the convict petitioner 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, where it has been observed by the Appellate Division that Court would not act in aid of an accused person who is a fugitive from law and justice.

In view of the above, this Rule must fail.

In the result, the Rule is discharged. The convict-petitioner, Golam Mostafa 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 petitioner.

Send down the lower Court records at once.