

Present
Mr. Justice Sheikh Abdul Awal
Criminal Revision No. 882 of 2011

Hayder Ali

.....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 05.02.2024.

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 07.7.2011 passed by the learned Additional Sessions Judge, 4th Court, Cumilla in Criminal Appeal No. 58 of 2011 arising out of Sessions Case No. 259 of 2009 relating to Sadar Dakhin G.R. No. 546 of 2008 corresponding to Sadar Dakkhin Police Station Case No. 12 dated 07.12.2008 dismissing the appeal with modification of sentence passed by the learned Joint Session Judge, 4th Court, Cumilla 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 02(two) years sentence has been dragging before this Court for more than 12 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 24.07.2011 at the time of issuance of the Rule granted bail to the accused petitioner for a period of 03(three) months, which was lastly extended on 26.10.11 for a period of 06(six) months from the date of expiry 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 24.04.2012. 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 15BLC, wherein 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, Hayder Ali 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.