

ICT-BD Case No. 03 of 2011

The Chief Prosecutor Versus Motiur Rahman Nizami (Accused)

Order No.178.

Dated: 24.06.2014.

Today is fixed for delivery of judgment of this case.

The accused Motiur Rahman Nizami has been produced before this Tribunal today by the prison authority due to his illness.

We have received a report today from Senior Jail Super, Central Jail Dhaka along with a report of the Assistant Surgeon of that Jail vide memo No.44.07.2600.072.02.005.2014-665 dated 24.06.2014, though the Registrar of the Tribunal, to the effect that the accused Motiur Rahman Nizami is suffering from high blood pressure and he has been given necessary treatment and the doctor has advised him not to move and to take absolute bed rest.

On the said report we have heard Mr. Golam Arif Tipu, the learned Chief Prosecutor and Mr. Mohammad Ali, the learned Prosecutor as well as Mr. Mizanul Islam, the learned defence counsel and perused the relevant provisions of law and Rules.

It may be mentioned here that in the interest of justice and in all fairness on the date of delivery of judgment the concerned accused is required to be present in the court when the judgment is delivered. This is the right of an accused to be present in the court to hear his judgment to be delivered by the Court, when he is facing trial. But in the instant case the accused could not be produced before this tribunal today due to his physical health condition.

In view of the above facts and circumstances, the delivery of judgment of this case is adjourned today and the case be kept in CAV.

However, the jail authority is directed to send a complete report with regard to the health condition of the accused immediately.

(M Enayetur RAhim, Chairman)

(Jahangir Hossain, Member)

(Anwarul Haque, Member)