

International Crimes Tribunal-1
Old High Court Building, Dhaka, Bangladesh.

ICT-BD [ICT-1] Case No.02 of 2017

Present:

Justice Md. Shahinur Islam, Chairman

Justice Amir Hossain, Member

Judge Md. Abu Ahmed Jamadar, Member

Order No.08
17 May, 2018

The Chief Prosecutor

Vs.

- 1. Md. Ranju Miah**
- 2. Md. Abdul Jabbar Mondol [absconding]**
- 3. Md. Jachhijar Rahman @ Khoka[absconding]**
- 4. Md. Abdul Wahed Mondol[absconding] and**
- 5. Md. Montaz Ali Bepari alias Momtaz[absconding]**

Mr. Mokhlesur Rahman Badal, Prosecutor: For the prosecution

Mr. Mohammad Abul Hassan , Advocate: **Engaged counsel** for accused (1) Md. Ranju Miah and also the **state defence counsel** for 04 absconding accused (2) Md. Abdul Jabbar Mondol, (3) Md. Jachhijar Rahman @ Khoka, (4) Md. Abdul Wahed Mondol and (5) Md. Montaz Ali Bepari alias Momtaz

[Decision on framing charges]

Accused (1) Md. Ranju Miah is present before this Tribunal as has been produced from prison. Another 04 accused (2) Md. Abdul Jabbar Mondol, (3) Md. Jachhijar Rahman @ Khoka, (4) Md. Abdul Wahed Mondol and (5) Md. Montaz Ali Bepari alias Momtaz have been absconding. On closure of

hearing on charge framing matter today is fixed for order and thus the record is taken up for rendering decision on indictment matter.

Before we pass the order, we consider it indispensable to recapitulate a brief portrayal of the settled historical context of the case and succinct argument placed by both the prosecution and the defence, in course of hearing.

I. Formation of the Tribunal

1. This International Crimes Tribunal-1 (hereinafter referred to as the “Tribunal”) has been constituted under the International Crimes (Tribunals) Act enacted in 1973 (hereinafter referred to as the “Act”) by the sovereign Parliament of Bangladesh intending to provide provisions for the detention, prosecution and punishment of member of armed force[Pakistani occupation army], individual or group of individuals or member or members of auxiliary force as defined in the Act responsible for the offences of genocide, crimes against humanity, war crimes as enumerated in sub section (2) of section 3 of the Act perpetrated in the territory of Bangladesh in 1971 during the war of liberation. The preamble of the Act reflects this core objective. However, the government established ‘Tribunal’ (Tribunal-1) on 25th of March 2010.

II. Brief Historical Context

2. In all the earlier cases, already disposed of, the Tribunal considered it relevant and necessary to portray the settled historical context that imbued the Bengali nation to start struggling for self-determination and long cherished independence of the motherland—Bangladesh. Bangabandhu Sheikh Mujibur Rahman the Father of the Nation in his historic speech of 7th March, 1971, called on the people of Bangladesh to strive for independence.

3. We reiterate that long 46 years after the nation achieved its independence the historic March 7 speech of Bangabandhu Sheikh Mujibur Rahman, the Father of the Nation has been recognized as a world documentary heritage by the UNESCO which is indeed the stamp of immense pride for the nation. This recognition shall prevent distortion of the history and the 7 March glowing speech of Bangabandhu calling on the freedom-loving Bangalees indispensably activated and stimulated the entire nation, excepting a few pro-Pakistan people to get equipped for the war of liberation.

4. On 26th March, following the onslaught of “Operation Search Light” by the Pakistani Military on 25th March, Bangabandhu declared independence of Bangladesh immediately before he was arrested by the Pakistani authorities.

5. It is now the settled history that in the War of Liberation that ensued in 1971 under the leadership of Bangabandhu the Father of the Nation, all people of the then East Pakistan wholeheartedly supported and participated in the call to free Bangladesh but a small number of Bangalee, Biharis, other pro-Pakistanis, as well as members of a number of different religion-based political parties including JEI joined and/or collaborated with the Pakistani occupation army to actively resist the birth of independent Bangladesh and most of them committed and facilitated the commission of appalling atrocities in the territory of Bangladesh, directing non-combatant pro-liberation civilians. As a result, 3 millions (thirty lacs) people were killed, more than 2,00,000 (two lacs) women were subjected to sexual violence, about 10 million (one crore) people were forced to deport to India as refugees and million others were internally displaced. The nation also experienced unprecedented and devastating destruction of properties all over Bangladesh, in violation of laws of war and fundamental rights of protected civilians.

6. The Pakistan government and the occupation armed force created number of auxiliary forces such as the Razakars, the Al-Badar, the Al-Shams, the Peace Committee etc. essentially to collaborate with it in identifying and facilitating to wipe out all those who were perceived to be sympathized with the liberation of Bangladesh, individuals belonging to Hindu religious groups, individuals belonging to Awami League and other pro-independence political parties, Bangalee intellectuals, non-combatant freedom-fighters and unarmed civilian population of Bangladesh.

7. In the case in hand, the arraignments as have been pressed by the prosecution, by submitting formal charge involve the deliberate brutal atrocious attacks allegedly carried out directing civilian population of the localities under Police Station-Gaibandha Sadar of District [now]-Gaibandha in 1971 to which the accused persons, in exercise of their affiliation with the

locally formed Razakar Bahini and pro-Pakistan political party Jamaat-e-Islami [JEI], allegedly participated actively.

III. Brief account of the Accused Persons

(i) Md. Abdul Jabbar Mondol

Md. Abdul Jabbar Mondol (86), son of late Abdul Gofur Mondol and late Fuljan Nesa Begum, village-Nandina, Police Station-Gaibandha Sadar, District-Gaibandha was born on 05.06.1929 (as per NID). He studied up to Class VIII in Khordo Kamorpur High School under Police Station-Gaibandha Sadar of District [now]-Gaibandha. He was a village Doctor by profession. As an active member of Jamaat-E-Islami during the war of Liberation in 1971, accused Md. Abdul Jabbar Mondol participated in anti-liberation activities and in order to help Pakistani Occupation Army he was engaged in forming local Peace Committee and armed Razakar Bahini. He was the Union Commander of Razakar Bahini and led them in aiding Pakistani Occupation Army in Saha Para Union and Gaibandha Sadar area. He was involved in committing the offences of genocide, murder, rape, looting, arson and other inhumane act as Crimes against Humanity in collaboration with Pakistani Occupation Army and Razakar Bahini, prosecution alleges.

(ii) Md. Jachhijar Rahman alias Khoka

Md. Jachhijar Rahman alias Khoka (64), son of Abdul Jabbar Mondol and Mst. Amena Begum, village-Nandina, Police Station-Gaibandha Sadar, District-Gaibandha, at present- House No.464/5, North Ibrahimpur (4th floor, Bou Bazarer Dhal), Police Station-Kafrul, DMP, Dhaka. His date of birth is 22.04.1954 (According to Bangladesh Police Identity Card). He passed S.S.C in 1968 from Khordo Komorpur High School. In 1971, during the liberation war of Bangladesh, he was an active member of local Jamaat-E-Islami. In 1971 he joined the Razakar Bahini and led it in aiding Pakistani Occupation Army in carrying out mass atrocities around his locality, prosecution avers.

(iii) Md. Abdul Wahed Mondol

Md. Abdul Wahed Mondol (62), son of Md. Abdul Jabbar Mondol and Mst. Amena Begum, village-Nandina, Police Station- Gaibandha Sadar, District-

Gaibandha. He passed S.S.C. He was an active member of local Jamaat-E-Islami in 1971.

(iv) Md. Montaz Ali Bepari alias Momtaj

Md. Montaz Ali Bepari alias Momtaj (68), son of late Shomesh Uddin Bepari and late Khatijan Bewa, village-Nandina, Police Station- Gaibandha Sadar, District [now]-Gaibandha. His date of birth is 05.03.1947. He is was an active supporter of Jamaat-E-Islami in 1971.

(v)Md. Ranju Miah

Md. Ranju Miah (59), son of late Abbas Ali and late Amena Begum, village-Chak Goyeshpur, Police Station-Gaibandha Sadar, District-Gaibandha. His date of birth is 21.04.1957. He is illiterate and can sign his name only. In 1971 he was a supporter of Jamaat-E-Islami and was a member of armed Razakar Bahini.

IV. Procedural History

9. The Investigation Agency of the Tribunal constituted under the Act of 1973 started the task of investigation pursuant to complaint register's serial no. 58 dated 12.10.2015, in respect of commission of offences enumerated in section 3(2) of the Act of 1973 allegedly perpetrated in 1971 during the war of liberation, in collaboration with the Pakistani occupation army around the localities under police station-Gaibandha Sadar of District [now]-Gaibandha.

10. During investigation, on prayer of the IO through the prosecution the Tribunal on 29.05.2016 ordered issuance of warrant of arrest [WA] against the six suspected accused persons. Suspected accused Md. Ranju Miah was found arrested in connection with Palashbari-police station case no. 20 dated 17.02.2016 and thus in execution of WA issued he was produced before this Tribunal on 27.07.2016 when he was sent to prison, showing arrested in connection with this case.. The four other suspected accused could not be apprehended, in execution of warrant.

11. Tribunal, on application of the Investigation Officer moved by the prosecution permitted to interrogate the accused Md. Ranju Miah and he was interrogated accordingly on 31.10.2016 at the 'safe home' of the Investigation Agency.

12. On wrapping up investigation, the Investigation Officer [IO] Md. Helal Uddin submitted report together with documents and materials collected and statement of witnesses on 21.12.2016 before the Chief Prosecutor under Rule 11 of the ROP, wrapping up of investigation.

13. Afterward, on 07.03.2017 the IO by submitting a report to the prosecution informed that one suspected accused Md. Azgor Hossain Khan died on 03.12.2016 i.e at pre-trial stage.

14. The Chief Prosecutor, on the basis of the report and documents submitted therewith by the Investigation Agency and also taking the information about death of one suspected accused at pre-trial stage into account, submitted the 'Formal Charge' on 09.03.2017 under section 9(1) of the Act of 1973 before this Tribunal alleging that accused persons were engaged in committing the offences as enumerated in section 3(2) of the Act of 1973 during the period of War of Liberation in 1971 around the localities under Police Station-Gaibandha Sadar of District[now]-Gaibandha.

15. The Tribunal, under Rule 29(1) of the Rules of Procedure, took cognizance of offences as mentioned in section 3(2) (a)(g)(h) of the Act of 1973, by application its judicial mind to the Formal Charge, materials and documents submitted therewith.

16. The law enforcement agency could not secure arrest of four[04] accused Md. Abdul Jabbar Mondol, Md. Jachhijar Rahman @ Khoka, Md. Abdul Wahed Mondol and Md. Montaz Ali Bepari alias Momtaz as they remained absconded and there was no immediate prospect of causing their arrest as the report in execution of warrant of arrest demonstrated it .

17. After having report in respect of execution of warrant of arrest issued against those four accused the Tribunal, for the purpose of holding proceeding in their *absentia*, ordered publication of notification in two national daily news papers as required by law. But those accused did not turn up despite such notification published in two national daily news papers and as such treating them absconding the Tribunal ordered for hearing the charge framing

matter by appointing Mr. Mohammad Abul Hassan as the state defence counsel, at the cost of Government, to defend the absconding four accused persons.

18. Then hearing on charge framing matter took place on 08.03.2018 when both sides placed their respective submission, drawing attention to the formal charge and documents submitted therewith.

V. Submission by the Prosecutor

19. Mokhlesur Rahman Badal the learned prosecutor drawing attention to the events of attacks narrated in formal charge and materials collected during investigation submitted that the accused persons belonged to locally formed Razakar Bahini and pro-Pakistan political party JEI. They were engaged in carrying out mass atrocities and group crimes around the locality under police station-Gaibandha Sadar of District [now]- Gaibandha, in collaboration with the Pakistani occupation army in 1971, during the war of liberation. Although, the accused shall be deemed to be innocent till they are found guilty but prima facie they are found to have had complicity and culpable involvement with the offences alleged as narrated in the formal charge, the learned prosecutor added.

VI. Submission by the Defence Counsels

20. On contrary, Mr. Mohammad Abul Hassan the learned defence counsel for accused Md. Ranju Miah and as state defence counsel as well for the four absconding accused chiefly submitted that none of accused persons had involvement with the commission of the offences alleged in any manner; that they were not affiliated with the locally formed Razakar Bahini and that the materials collected during investigation did not demonstrate any prima facie case or there has been no reasonable ground to proceed and thus the accused persons deserve to be discharged. There has been no authoritative document to substantiate that the accused persons belonged to Razakar Bahini and thus they have been falsely implicated in this case.

VII. Deliberations and Decision

21. Indisputably at this stage neither the guilt nor the innocence of an accused can be adjudicated decisively. The accused persons shall be treated innocent,

till they are found guilty. Their culpability, if any, can only be well determined at trial, not at this stage. This is the settled norm of criminal jurisprudence.

22. At this stage, we are just need to concentrate chiefly on the arraignments and facts of attacks disclosed in the Formal Charge as well as the statement of witnesses and documents submitted therewith.

23. We have cautiously gone through the formal charge, statement of witnesses and the documents submitted therewith. It appears that the formal charge and the statement of witnesses *prima facie* disclose participation, substantial contribution and abetment of the accused persons in accomplishing the alleged offences as enumerated in section 3(2) of the Act of 1973.

24. Prosecution avers that the accused persons were the active members of locally formed Razakar Bahini. Conversely, the defence argument is that the accused persons were not affiliated with any of auxiliary forces and were not engaged in carrying out any kind of mass atrocities in 1971.

25. The above crucially relevant in determining accountability of an accused. But even an individual can be prosecuted for any of offences as enumerated in section 3(2) of the Act of 1973, if he is found to have had participation in committing the said offence. Besides, this issue requires to be proved by evidence to be presented at trial only. Thus, we refrain from rendering definite finding on this issue, at this stage.

26. Now, we are to merely see the *prima facie* complicity and participation of the accused persons with the commission of alleged offence and of course, treating the accused innocent till they are found guilty for the alleged offences with which they have been indicted.

27. On *prima facie* examination of the record, at this stage, we are convinced that the proposed arraignments deserve to be considered and resolved which may only be done at trial, on presentation of evidence.

28. Rule 36 of the ROP provides provision of trying the persons accused of offences at one trial as they allegedly committed the same offences being the associates of the group of attackers, allegedly in exercise of their membership in locally formed Razakar Bahini. Thus, trying them jointly is lawfully approved.

29. In view of the discussion as made above and considering the submissions advanced by both sides, we have found *prima facie* the nexus of the accused persons with the commission of the alleged offences, mostly from the particulars of facts narrated in the Formal Charge.

30. Thus, we are of the view that there are sufficient and substantial materials before this Tribunal to presume *prima facie* that accused persons were involved with the commission of offences during the War of Liberation in 1971 as specified under section 3(2) of the Act for which they now need to stand trial.

31. Now, we proceed to read out the charges framed. We are of the view that there are sufficient and substantial materials before this Tribunal to frame charges against accused (1) Md. Ranju Miah,(2) Md. Abdul Jabbar Mondol[absconding], (3) Md. Jachhijar Rahman alias Khoka[absconding], (4) Md. Abdul Wahed Mondol [absconding] and (5) Md. Montaz Ali Bepari alias Momtaj[absconding] for the offences allegedly committed during the War of Liberation in 1971 as specified under section 3(2) of the Act of 1973 for which they are alleged to be criminally liable under sections 4(1) of the Act of 1973. The charges are thus framed against them in the following manner.

Charges

We,

Justice Md. Shahinur Islam, Chairman

Justice Amir Hossain, Member

Judge Abu Ahmed Jamadar, Member

Of the International Crimes Tribunal -1

Do hereby charge you the accused (1) **Md. Ranju Miah** (59), son of late Abbas Ali and late Amena Begum, village-Chak Goyeshpur, Police Station-

Gaibandha Sadar, District-Gaibandha., **(2) Md. Abdul Jabbar Mondol** (86), son of late Abdul Gofur Mondol and late Fuljan Nesa Begum, village-Nandina, Police Station-Gaibandha Sadar, District-Gaibandha, **(3) Md. Jachhijar Rahman alias Khoka** (64), son of Abdul Jabbar Mondol and Mst. Amena Begum, village-Nandina, Police Station-Gaibandha Sadar, District-Gaibandha, at present- House No.464/5, North Ibrahimpur (4th floor, Bou Bazarer Dhal), Police Station-Kafrul, DMP, Dhaka., **(4) Md. Abdul Wahed Mondol** (62),son of Md. Abdul Jabbar Mondol and Mst. Amena Begum, village-Nandina, Police Station- Gaibandha Sadar, District-Gaibandha and **(5) Md. Montaz Ali Bepari alias Momtaj** (68), son of late Shomesh Uddin Bepari and late Khatijan Bewa, village-Nandina, Police Station- Gaibandha Sadar, District [now]-Gaibandha as follows:

Charge No. 01: 05 accused indicted

[Offences of ‘Abduction’; ‘Confinement’; ‘Torture’; ‘Plunder’; ‘Murder’, ‘Deportation’ and ‘other Inhumane Acts’]

That in the first fortnight of June, 1971 on any day at about 10.00 A.M. a group formed of 15/20 Pakistani occupation army men and other Razakars being accompanied by you accused (1) Md. Ranju Miah, (2) Md. Abdul Jabbar Mondol (absconded), (3) Md. Jachhijar Rahman alias Khoka (absconded), (4) Md. Abdul Wahed Mondol (absconded), (5) Md. Montaz Ali Bepari alias Momtaj (absconded) and Razakar Md. Azgar Hossain Khan (now dead), coming from Helal Park army camp launched attack directing the local Hindu community at village Bishnopur under police station-Gaibandha Sadar of District-[now] Gaibandha. In conjunction with the attack you the accused persons and your accomplices captured Ambika Charan Sarkar from his house and tortured him inhumanly, looted valuables and left that house guessing him dead.

Thereafter, you the accused persons and your accomplices, in conjunction with the forcibly captured Dwijesh Chandra Sarkar, Abdul Mazid Prodhan from their house, looted the valuables, unlawfully detained Ful Kumari Rani and her sister-in-law Shadhana Rani Sarkar and forcibly converted them into Muslim.

In conjunction of the attack, Pakistani occupation army men exonerated Abdul Mazid Prodhan as he was a Muslim and forcibly took Dwijesh Chandra Sarkar away to the army camp in Gaibandha and afterward, he was killed and his dead body was made concealed. Two months later, victim Ambika Charan Sarkar succumbed to injuries inflicted by you and your accomplices.

By carrying out above atrocious activities directing civilians belonging to Hindu religious group , 300/400 Hindu civilians of different villages under Sahapara Union including 45 Hindu civilians as named in the formal charge were forced to deport to India.

Therefore, accused (1) Md. Ranju Miah, (2) Md. Abdul Jabbar Mondol (absconded), (3) Md. Jachhijar Rahman alias Khoka (absconded), (4) Md. Abdul Wahed Mondol (absconded), (5) Md. Montaz Ali Bepari alias Momtaj (absconded) are hereby charged for participating, abetting, facilitating, contributing and also for complicity in the commission of offences of **‘abduction’; ‘confinement’; ‘torture’; ‘deportation’, ‘other inhumane act’ and ‘murder’** as crimes against humanity as enumerated in section 3(2)(a)(g)(h) read with section 4(1) of the International Crimes (Tribunals) Act, 1973 which are punishable under section 20(2) of the Act.

Charge No. 02: 04 accused indicted

[Offences of ‘Abduction’; ‘Confinement’; ‘Torture’; ‘Plunder’; ‘Arson’ and ‘Murder’.]

That on 18 October, 1971 at about 8.00 A.M. a group formed of 8/10 Razakars and 25/30 Pakistani occupation army men being accompanied by you accused (1) Md. Abdul Jabbar Mondol (absconded), (2) Md. Jachhijar Rahman alias Khoka (absconded), (3) Md. Abdul Wahed Mondol (absconded) and (4) Md. Montaz Ali Bepari alias Momtaj (absconded) by launching attack at village-Nandina under Police station-Gaibandha Sadar of District-[now] Gaibandha forcibly captured non-combatant innocent pro-liberation civilians Abu Bakkar, Tara Akanda, Ansar Ali and Nasim Uddin Akanda from their houses and your accomplices and Pakistani occupation

army men made them stand in a line in front of the house of Abu Bakkar and shot them to death.

In conjunction of the attack, you the accused persons and your accomplices forcibly captured Abdus Samad Mollah, Shada Miah, Faras Uddin and Sekender Ali Mollah of village-Nandina from their houses and shot them to death and destroyed 40/50 houses of village Nandina by setting those on fire.

Therefore, accused (1) Md. Abdul Jabbar Mondol (absconded), (2) Md. Jachhijar Rahman alias Khoka (absconded), (3) Md. Abdul Wahed Mondol (absconded) and (4) Md. Montaz Ali Bepari alias Momtaj (absconded) are hereby charged for participating, abetting, facilitating, contributing and also for complicity in the commission of offences of **'abduction'**; **'confinement'**; **'torture'**; **'arson'** and **'murder'** as crimes against humanity as enumerated in section 3(2)(a)(g)(h) read with section 4(1) of the International Crimes (Tribunals) Act, 1973 which are punishable under section 20(2) of the Act.

Charge No. 03: 04 accused indicted

[Offences of 'Abduction'; 'Confinement'; 'Torture' and 'Murder']

That on 18 October 1971 at about 10.00 A.M. with a group formed of 8/10 Razakars and 25/30 Pakistani occupation army being accompanied by you accused (1) Md. Abdul Jabbar Mondol (absconded), (2) Md. Jachhijar Rahman alias Khoka (absconded), (3) Md. Abdul Wahed Mondol (absconded) and (4) Md. Montaz Ali Bepari alias Momtaj (absconded) by launching attack at village-Daulatpur under Sahapara Union, Police station-Gaibandha Sadar of District[now]-Gaibandha forcibly captured Lal Miah Bepari, Abdul Baki, Khalilur Rahman, Dula Miah, Mahesh Chandra Mondol and then killed them at the crime site.

Therefore, accused (1) Md. Abdul Jabbar Mondol (absconded), (2) Md. Jachhijar Rahman alias Khoka (absconded), (3) Md. Abdul Wahed Mondol (absconded) and (4) Md. Montaz Ali Bepari alias Momtaj (absconded) are hereby charged for actively participating, abetting, facilitating, contributing and also for complicity in the commission of offence of **'confinement'**; and

‘murder’ as crimes against humanity as enumerated in section 3(2)(a)(g)(h) read with section 4(1) of the International Crimes (Tribunals) Act, 1973 which are punishable under section 20(2) of the Act.

Charge No. 04: 05 accused indicted

[Offences of ‘Abduction’; ‘Confinement’; ‘Torture’ and ‘Murder’]

That on 18 October 1971, at about 12.00 Noon to 5.00 P.M. you the accused (1) Md. Abdul Jabbar Mondol (absconded), (2) Md. Jachhijar Rahman alias Khoka (absconded), (3) Md. Abdul Wahed Mondol (absconded), (4) Md. Montaz Ali Bepari alias Momtaj (absconded) and (5) Md. Ranju Miah by launching systematic attack at villages Nandina and Daulatpur forcibly captured non-combatant freedom-fighter Abul Kashem who was hiding at the place adjacent to Nandina Government primary school. Detained victim was subjected to inhuman torture, by hanging him on a tree in front of the said school and he was forced to drink urine when the detained victim wanted to drink water.

Thereafter, you the accused persons took away the detained victim Abul Kashem to Pakistani occupation army men when he was shot to death and his dead body was left abandoned by the side of Bhabanipur road and afterward the villagers buried his dead body there. In conjunction with the event of attack, you the accused persons also killed six more non-combatant freedom-fighters as named in the formal charge, on forcible capture.

Therefore, accused (1) Md. Abdul Jabbar Mondol (absconded), (2) Md. Jachhijar Rahman alias Khoka (absconded), (3) Md. Abdul Wahed Mondol (absconded), (4) Md. Montaz Ali Bepari alias Momtaj (absconded) and (5) Md. Ranju Miah are hereby charged for participating, abetting, facilitating, contributing and also for complicity in the commission of offences of **‘abduction’; ‘confinement’; ‘torture’; and ‘murder’** as crimes against humanity as enumerated in section 3(2)(a)(g)(h) read with section 4(1) of the International Crimes (Tribunals) Act, 1973 which are punishable under section 20(2) of the Act.

32. Thus, you have been indicted as above for committing the offences under section 3(2)(a)(g)(h) of the International Crimes(Tribunals) Act, 1973, punishable under section 20(2) read with section 4(1) of the Act which are within the cognizance and jurisdiction of this Tribunal. And we hereby direct you to be tried by this Tribunal on the said charges.

35. You accused Md. Ranju Miah have heard and understood the aforesaid charges which have been read out and explained [**in Bangla**] in the open court in your presence.

Question: Do you plead guilty or not.

Answer:

34. The charges so framed have been read over and explained to the accused (1) Md. Ranju Miah to which he pleaded not guilty and claimed to be tried according to law. The four other accused (2) Md. Abdul Jabbar Mondol, (3) Md. Jachhijar Rahman @ Khoka,(4) Md. Abdul Wahed Mondol and (5) Md. Momtaz Ali remained absconded and as such the charges so framed could not be explained to them.

35. Let 11.07.2018 be fixed for opening statement and examination of prosecution witnesses. Prosecution is directed to submit copy of all the documents it relies upon, for the purpose of furnishing the same with the defence, if meanwhile the same are not supplied to the defence. At the same time the learned engaged defence counsel Mr. Mohammad Abul Hassan who is also the learned state defence counsel defending the absconding four [04] accused is directed to submit a list of witnesses along with documents which the defence intends to rely upon, as required under section 9(5) of the Act on or before the date fixed.

Justice Md. Shahinur Islam, Chairman

Justice Amir Hossain, Member

Judge Md. Abu Ahmed Jamadar, Member