

International Crimes Tribunal-1
Old High Court Building, Dhaka, Bangladesh
ICT-BD [ICT-1] Case No.06 of 2018

Present:

Justice Md. Shahinur Islam, Chairman

Justice Amir Hossain, Member

Justice Md. Abu Ahmed Jamadar, Member

Order No.03

21 October, 2018

The Chief Prosecutor

Vs.

1. Abul Khayer Golap @ Golap Mia

2. Md. Jamal Uddin Ahmed @ Md. Jamal Uddin @ Jamal Master

Ms. Rezia Sultana Begum, Prosecutors: For the prosecution

Mr. Gzi M.H Tamim. Advocate: For accused **1. Abul Khayer Golap @ Golap Mia and 2. Md. Jamal Uddin Ahmed @ Md. Jamal Uddin @ Jamal Master**

[Decision on framing charges]

Today is fixed for rendering decision on charge framing matter.

Accused Abul Khayer Golap @ Golap Mia and Md. Jamal Uddin

Ahmed @ Md. Jamal Uddin @ Jamal Master are present on dock as

have been produced from prison. On closure of hearing on charge framing matter on 03.09.2018 now the record is taken up for passing order on indictment matter.

Before we pass the order, we consider it indispensable to sketch a brief portrayal of the settled historical context of the case as it involves the offences allegedly committed in 1971 during the liberation war. At the same time succinct argument advanced by both the prosecution and the defence, in course of hearing also be addressed.

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 essential to make a brief portrayal of the settled historical context that imbued the Bengali nation to begin 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 go all-out 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 mammoth 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 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 enthusiastically 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 Pakistan occupation army to actively resist the birth of independent Bangladesh and most of them committed and facilitated the commission of horrendous atrocities in the territory of Bangladesh, directing non-combatant pro-liberation civilians, Hindu religious group, intellectuals and non-combatant freedom-fighters. 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, causing detrimental effect of normal livelihood of civilians, in violation of laws of war and fundamental rights of protected civilians.

6. The Pakistan government and the occupation armed force, to further policy and plan created number of auxiliary forces such as the Razakars, the Al-Badar, the Al-Shams, the Peace Committee etc. intending to collaborate with it in identifying localities and targets and facilitating to wipe them perceiving to be sympathized with the

liberation of Bangladesh. In doing so , 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 were made target.

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 unarmed civilian population of the localities under Police Station-, Nabiganj, District-Habiganj in 1971 to which the accused persons, in exercise of their active affiliation with the locally formed Razakar Bahini, allegedly participated actively and culpably contributed to the commission of crimes, in violation of international humanitarian law and the laws of war.

III. Brief Account of Accused Persons

8. Before we make deliberation on charge framing matter we deem it essential to focus on status and brief account of the accused persons that they had in 1971 which is considered indispensably chained to the arraignments brought. The brief account of the accused persons as has been narrated in the formal charge is as below:

1. Abul Khayer Golap alias Golap Miah (66)

Abul Khayer Golap alias Golap Miah (66), son of late Matiur Rahman alias Umra Miah and late Rezia Khatun of village-Mamadpur(Mahmadpur), Police Station-, Nabiganj, District-Habiganj was born on 10.04.1952. He studied up to class IX. His father and maternal uncles Mannan Miah and Abdus Satter Moulana were the followers of Convention Muslim League , a pro-Pakistan political party since prior to 1971. Accused Abul Khayer Golap alias Golap Miah too got affiliated with the Convention Muslim League and actively joined in campaign process in the general election of 1970 supporting this party's candidate. In 1971 the father of the accused was the member of Habiganj Thana Peace Committee and the accused Abul Khayer Golap alias Golap Miah joined in Nabiganj Thana Razakar Bahini as its commander [as has been shown in serial no. 15 in the list of Gajnaipur Union] and actively participated, co-operated and collaborated with the Pakistani Occupation Army in committing heinous atrocious activities constituting the offences of crimes against humanity, prosecution alleges.

2. Md. Jamal Uddin Ahmed alias Md. Jamal Uddin alias Jamal Master (65)

Md. Jamal Uddin Ahmed alias Md. Jamal Uddin alias Jamal Master (65), son of late Md. Rahmat Ullah and late Fajilatunnesa of village-Logaon, Police Station-Nabiganj, District-Habiganj was born on 01.08.1953. He passed H.S.C. Accused Md. Jamal Uddin Ahmed alias

Md. Jamal Uddin alias Jamal Master as a follower of accused Abul Khayer Golap alias Golap Miah and Convention Muslim League actively engaged in the campaign process in the general election of 1970, in favour of this party's candidate. In 1971 during the war of liberation he joined in Nabiganj Thana Razakar Bahini and actively participated, co-operated and collaborated with the Pakistani Occupation Army in carrying out atrocious activities directing civilian population constituting the offences of crimes against humanity, as alleged by the prosecution.

IV. Procedural History

9. The Investigation Agency of the Tribunal constituted under the Act of 1973 started investigation pursuant to complaint register's serial no. 62 dated 16.02.2016, 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 around the localities under Police Station-Nabiganj of District-Habiganj.

10. During investigation, on prayer of the IO through the prosecution initiated on 10.04.2017 the Tribunal on 11.04.2017 ordered issuance of arrest against the suspected accused Abul Khayer Golap alias Golap Miah. In execution of warrant of arrest he was arrested and produced before the Tribunal on 12.04.2017 when considering the submission made by the prosecution he was sent to prison.

11. The suspected detained accused Abul Khayer Golap alias Golap Miah was then interrogated at the safe of Investigation agency on 12.07.2017, in presence of his counsel and a physician as ordered as permitted by the Tribunal considering prayer initiated through the chief prosecutor.

12. Considering an application filed on 20.11.2017, through the chief prosecutor Tribunal by its order dated 21.11.2017 issued warrant of arrest [W/A] against another suspected accused Md. Jamal Uddin @ Jamal Master and eventually in execution of warrant this suspected accused was arrested and produced before the Tribunal on 22.11.2017 when considering submission placed on part of prosecution Tribunal ordered to send him to prison.

13. Suspected accused Md. Jamal Uddin @ Jamal Master was also interrogated on 04.01.2018 at the safe home of the Investigation Agency as permitted by the Tribunal on 131.12.2017, in presence of his counsel and a physician as ordered.

14. On 08.03.2018, the Investigation Officer [IO] Md. Nur Hossain submitted report together with documents and materials collected, in course of investigation and statement of witnesses, before the Chief Prosecutor, wrapping up of investigation.

15. The Chief Prosecutor, on the basis of the report and documents submitted therewith by the Investigation Agency, after completion of investigation, submitted the 'Formal Charge' in the form of a petition on 13.05.2018 under section 9(1) of the Act of 1973 before this Tribunal alleging that accused person 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-Nabiganj of District-Habiganj.

16. 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 and ordered for hearing the charge framing matter.

17. Both sides placed their respective submission at this phase of proceeding drawing attention to the formal charge and materials which do form part of the records.

V. Submission by the Prosecutor

18. Ms. Rezia Sultana Begum, the learned prosecutor drawing attention to the formal charge and other materials collected during investigation submitted that the accused persons belonged to locally formed Razakar Bahini and in exercise of affiliation with it they consciously and culpably collaborated with the Pakistani occupation

army in accomplishing group crimes or system crimes directing defenceless civilians of localities under police station- Nabiganj of District[now]-Habiganj. It has been asserted too that the materials collected during investigation prima facie point towards involvement and complicity of the accused persons with the events constituting the offences pressed in the formal charge.

VI. Submission on behalf of accused

19. On contrary, Mr. Gaji M.H the learned counsel engaged for accused 1.Abul Khayer Golap @ Golap Mia and 2. Md. Jamal Uddin Ahmed @ Md. Jamal Uddin @ Jamal Master submitted that false accusation has been brought against these accused; that the materials allegedly collected did not connect these accused with any of the event alleged; that the accused persons have been falsely implicated in this case and that they were not associated with locally formed Razakar Bahini. Delayed prosecution itself creates doubt as to truthfulness of accused persons' complicity with the alleged offences, the learned defence counsel, added. The learned counsel concluded his submission seeking discharge of this accused.

VII. Deliberations and Decision

20. Prosecution specifically avers that in 1971 the accused persons belonged to locally formed Razakar Bahini. This issue crucially relates to the arraignments brought. But the International Crimes (Tribunals) Act, 1973 permits to prosecute and try even an individual

or group of individuals. Next, at this stage conclusive finding on it cannot be given, without trial. For this issue is required to be resolved on evaluation of evidence to be presented in course of trial only.

21. However, at this stage, we are to just see whether the documents and materials prima facie demonstrates the commission of the offence of genocide and crimes against humanity and complicity and involvement of the accused persons therewith. But of course, presuming the accused persons innocent, till they are found guilty as liability of accused persons for the offences alleged cannot be determined at this stage and without trial and evaluating evidence to be presented.

22. Defence submitted that the accused persons were not engaged in accomplishing any of the offences alleged as the evidence collected during investigation does not indicate it and they have been falsely implicated in this case.

23. But the above submission relates to factual aspect which may be well proved only in trial, and not at this stage and as such does not deserve consideration. However, we reiterate the settled norm that at this stage the accused persons shall be presumed innocent, till they are found guilty as neither the guilt nor the innocence can be adjudicated decisively. Their culpability, if any, can only be well determined only at trial, not at this stage.

24. 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. The alleged offences were system crimes committed against the civilian population constituting the offences as crimes against humanity and genocide committed in context of the war of liberation in 1971.

25. In view of above, now, we proceed to read out the charges framed. We are of the view that there are sufficient and substantial materials before this Tribunal forming reasonable grounds to frame charges against accused (1) Abul Khayer Golap alias Golap Miah (66), son of late Matiur Rahman alias Umra Miah and late Rezia Khatun of village-Mamadpur(Mahmadpur), Police Station-, Nabiganj, District-Habiganj and (2) Md. Jamal Uddin Ahmed alias Md. Jamal Uddin alias Jamal Master (65), son of late Md. Rahmat Ullah and late Fajilatunnesa of village-Logaon, Police Station-Nabiganj, District-Habiganj **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

Justice Abu Ahmed Jamadar, Member

Of the International Crimes Tribunal -1

Hereby frame charges as below:

Charge No.01:02 accused indicted

[Event no.01 as narrated in the formal charge: page-24-32]

[Offences of ‘Abduction’, ‘Confinement’, ‘Torture’, ‘Rape’, ‘Plundering’, ‘Arson’, ‘Murder’ and ‘Genocide’]

That on 09 November 1971 at about 5.00 A.M a group formed of you the accused (1) Abul Khayer Golap alias Golap Miah and (2) Md. Jamal Uddin Ahmed alias Jamal Master, your accomplice Razakars and 20/25 Pakistani occupation army men by launching attack the village-Logaon under the Police Station-Nabiganj, District-Habiganj unlawfully detained Nowshad Ali and Ashad Ali, followers of Awami League and organizers of Liberation War, plundered the house of their neighbor Abul Hashem alias Hasim Ullah and set it on fire.

Thereafter, you the accused Md. Jamal Uddin Ahmed alias Jamal Master being accompanied by 2/3 Pakistani occupation army men unlawfully detained Abdul Sobhan from the adjacent village-Shirarelpungi and brought him to detained Nowshad Ali’s house at village-Logaon . In conjunction with the attack you the accused Abul Khayer Golap alias Golap Miah along with 5/6 Pakistani army men forcibly captured Abdul Khaleq[now dead] from the village-

Shirarelpungi and tortured him inhumanely and in presence of you 2 Pakistani army men entering into the room raped Kushum Bibi, the wife of Abdul Khaleq.

Thereafter, you the accused persons and your cohorts and army men moved to the Razakar Camp situated at the house of you accused Abul Khayer Golap alias Golap Miah taking the detained Nowshad Ali, Ashad Ali and Abdul Sobhan with you.

On the same day at about 8.00 A.M you the accused Abul Khayer Golap alias Golap Miah, Md. Jamal Uddin Ahmed alias Jamal Master along with a group of Razakars and 15/20 Pakistani occupation army men by launching attack at village-Nishakari under the Police Station-Nabiganj, District-Habiganj unlawfully detained Md. Manik Miah, his brother Nabib Ali alias Naib Ali (now dead), supporters of Awami League and organizers of Liberation War from their house.

In conjunction with the attack you the accused persons next attacked the house of Pulin Roy Holder of village- Mamadpur and shot him to death and plundered his house.

Thereafter, you the accused persons and your accomplices detained Birendra Tagore, Gouri Rani, Klaipeda Chakraborti, Sajol Chakraborti and Bani Charan Chakraborti from the Hindu dominated village-Mamadpur and at about 12 P.M went back to the Razakar Camp situated at the house of you accused Abul Khayer Golap alias Golap Miah taking the detained civilians with the gang and then about 13.00

P.M made the detainees shifted to the Dinarpur High School Razakar and Pakistani Army Camp where they were subject to inhumane torture and detainee Gouri Rani severely raped and sexually violated by you the accused persons and later on Gouri Rani was shifted to Pakistani army camp at Chunarughat where she was sexually violated by the army men in captivity. Afterwards, on 13 November 1971 at about 2.00/3.00 A.M you the accused persons being accompanied by the Pakistani army men took the detainees at the Kallanpur road side where Birendra Tagore, Kalipada Chakraborti, Sajol Chakraborti and Bani Charan Chakraborti were shot to death and other detainees were thrown down near Mirpur Cow's hat under police station-Bahubal.

Therefore, you the accused (1) Abul Khayer Golap alias Golap Miah and (2) Md. Jamal Uddin Ahmed alias Jamal Master are hereby charged for actively participating, facilitating, abetting and substantially contributing, by act and conduct forming part of systematic attack to the commission of the offences of 'abduction', 'confinement', 'torture', 'rape', 'plundering', 'arson' and 'murder' as crimes against humanity as specified in section 3(2)(a)(g)(h) or in the alternative the offence of 'genocide', as specified in section 3(2)(c)(g)(h) of the International Crimes (Tribunals) Act,1973 read with section 4(1) which are punishable under section 20(2) of the Act.

Charge No.02:02 accused indicted

**[Event no.02 as narrated in the formal charge: page-33-35]
[Offences of 'Abduction', 'Confinement', 'Torture', 'Arson' and 'Murder']**

That on 10 November 1971 at about 5.00 A.M a group formed of you the accused (1) Abul Khayer Golap alias Golap Miah, (2) Md. Jamal Uddin Ahmed alias Jamal Master, Razakars and 20/25 Pakistani occupation army men by launching attack at village-Kandirgaon under the Police Station-Nabiganj, District-Habiganj unlawfully detained Darachh Miah, follower of Awami League and Liberation War and set his house on fire. Thereafter, detained victim was taken away to the Dinarpur High School Razakar and Pakistani Army Camp where he was subjected to inhumane torture in captivity.

On 12 November 1971 at about 11.00 P.M you the accused Abul Khayer Golap alias Golap Miah brutally killed victim Darachh Miah, detained at the camp, by gunshot and on 13 November 1971 his dead body was buried at their family graveyard.

Therefore, you the accused (1)Abul Khayer Golap alias Golap Miah and (2) Md. Jamal Uddin Ahmed alias Jamal Master are hereby charged for actively participating, facilitating, abetting and substantially contributing, by act and conduct forming part of systematic attack to the commission of the offences of **‘abduction’**, **‘confinement’**, **‘torture’**, **‘arson’** and **‘murder’** as crimes against humanity as specified in section 3(2)(a)(g)(h) of the International Crimes (Tribunals) Act,1973 read with section 4(1) which are punishable under section 20(2) of the Act.

Charge No.03:02 accused indicted

**[Event no.03 as narrated in the formal charge: page-35-39]
[Offences of ‘Abduction’, ‘Confinement’, ‘Torture’, ‘Murder’ and ‘Genocide’]**

That on 10 November 1971 at about 8.00 A.M a group formed of you the accused (1) Abul Khayer Golap alias Golap Miah, (2) Md. Jamal Uddin Ahmed alias Jamal Master, accomplice Razakars and 15/20 Pakistani occupation army men by launching attack at village-Deopara under the Police Station-Nabiganj, District-Habiganj forcibly detained Nirai Namashudra, Jogendra Namashudra and Nihari Das Namashudra belonging to Hindu religious group, with intent to destroy it , either whole or in part and took them away to the Dinarpur High School Razakar and Pakistani Army Camp where they were subjected to inhumane torture in captivity.

Afterwards, on 13 November at about 2.00/3.00 P.M the detainees, taking out of the camp, were brought to the western side of the Kallanpur village under Bahubal Police Station, District Habiganj where you the accused persons gunned them down to death. Later on, their dead bodies were buried at local village graveyard.

Therefore, you the accused (1) Abul Khayer Golap alias Golap Miah and (2) Md. Jamal Uddin Ahmed alias Jamal Master are hereby charged for actively participating, facilitating, abetting and substantially contributing, by your act and conduct forming part of systematic attack to the commission of the offences of ‘abduction’, ‘confinement’, ‘torture’ and ‘murder’ as crimes against humanity as

specified in section 3(2)(a)(g)(h) or in the alternative the offence of 'genocide', as specified in section 3(2)(c)(g)(h) of the International Crimes (Tribunals) Act, 1973 read with section 4(1) which are punishable under section 20(2) of the Act.

Charge No.04:02 accused indicted

**[Event no.04 as narrated in the formal charge: page-39-43]
[Offences of 'Abduction', 'Confinement', 'Torture', 'Rape', 'Plundering', 'Arson' and 'Murder']**

That on 11 November 1971 at about 5.00 A.M a group formed of you the accused (1) Abul Khayer Golap alias Golap Miah, (2) Md. Jamal Uddin Ahmed alias Jamal Master, cohort Razakars and 20/25 Pakistani occupation army men by launching attack at the house of freedom fighter Johur Uddin Ahmed of village-Bongaon under the Police Station-Nabiganj, District-Habiganj forcibly and detained him when he was unarmed and his caretaker Janu Ullah alias Joinuddin as well.

In conjunction with the attack, 4 Pakistani army men raped freedom fighter Johur Uddin Ahmed's mother, Safina Bibi (now dead) and sister Joytara (now dead), plundered their house and set it including a rice mill on fire.

In conjunction with the attack you the accused persons and your accomplices made the detained freedom-fighter Johur Uddin Ahmed and their caretaker Janu Ullah alias Joinuddin assembled at the house of Mamun Chowdhury, the father of freedom fighter Sub-sector

commander Mahbubur Rob Sadi and forcibly detained Mamun Chowdhury therefrom. All the three detainees were then taken away to the joint camp of Razakar and Pakistani Army at Dinarpur High School where they were subjected to inhumane torture in captivity.

On the following day [12 November 1971] you the accused persons made the detained victim Johur Uddin and Mamun Chowdhury freed in exchange of ransom money received from their family members. But on the same day at about 11.30 P.M you the accused persons killed another detained victim Janu Ullah alias Joinuddin by gun shot at the said camp.

Therefore, you the accused (1) Abul Khayer Golap alias Golap Miah and (2) Md. Jamal Uddin Ahmed alias Jamal Master are hereby charged for actively participating, facilitating, abetting and substantially contributing, by your act and conduct forming part of systematic attack to the commission of the offences of **‘abduction’**, **‘confinement’**, **‘torture’**, **‘rape’**, **‘plundering’**, **‘arson’** and **‘murder’** as crimes against humanity as specified in section 3(2)(a)(g)(h) of the International Crimes (Tribunals) Act,1973 read with section 4(1) which are punishable under section 20(2) of the Act.

Charge No.05:02 accused indicted

[Event no.05 as narrated in the formal charge: page-44-46]
[Offences of **‘Abduction’**, **‘Confinement’**, **‘Torture’**, **‘Rape’**, and **‘Arson’**]

That on 12 November 1971 at about 4.00 P.M a group formed of you the accused (1) Abul Khayer Golap alias Golap Miah, (2)Md. Jamal Uddin Ahmed alias Jamal Master, a number of Razakars and 15/20 Pakistani occupation army men by launching attack at village-Logaon under police station-Nabiganj of District[now]- Habiganj unlawfully detained Sundari Bibi and Shukari Begum and then took them to the adjacent forest of one Nafor Ullah alias Tuku's house and in presence and assistance of you the accused Abul Khayer Golap alias Golap Miah, 4/5 Pakistani army men brutally raped them and then you the accused persons and your accomplices quitted the crime village at about 7.00 P.M making some houses set on fire.

Therefore, you the accused (1)Abul Khayer Golap alias Golap Miah and (2) Md. Jamal Uddin Ahmed alias Jamal Master are hereby charged for actively participating, facilitating, abetting and substantially contributing, by your act and conduct forming part of systematic attack to the commission of the offences of **'abduction'**, **'confinement'**, **'torture'**, **'rape'** and **'arson'** as crimes against humanity as specified in section 3(2)(a)(g)(h) of the International Crimes (Tribunals) Act,1973 read with section 4(1) which are punishable under section 20(2) of the Act.

26. Thus, you the accused persons have been indicted as above for committing the offences under section 3(2)(a)(g)(h) and also under section 3(2)(a)(c)(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.

27. You accused 1.Abul Khayer Golap @ Golap Mia and 2. Md. Jamal Uddin Ahmed @ Md. Jamal Uddin @ Jamal Master 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:

28. The charges so framed have been read over and explained to the accused 1.Abul Khayer Golap @ Golap Mia and 2. Md. Jamal Uddin Ahmed @ Md. Jamal Uddin @ Jamal Master to which they pleaded not guilty and claimed to be tried according to law.

29. Let 17.12.2018 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.

30. At the same time the learned engaged counsel and also the learned state defence counsels are asked to submit a list of witnesses along with documents which the defence intends to rely upon or if any, as required under section 9(5) of the Act on or before the date fixed.

Justice Md. Shahinur Islam, Chairman

Justice Amir Hossain, Member

Justice Md. Abu Ahmed Jamadar, Member