

1. When pleading guilty inadmissible in the court?

It is described in of Evidence act 24-26

These sections of the law talk about confessions made by someone accused of a crime.

Section 24 of Evidence act says that if a person confesses because they were promised something good or threatened with something bad by someone in authority, then that confession can't be used in court. The court won't consider it as evidence if the person had a good reason to think they'd benefit or avoid trouble by confessing.

Section 25 of Evidence act says that confessions made to police officers cannot be used as evidence against the person accused of a crime.

Section 26 of Evidence act adds that confessions made while a person is in police custody can't be used against them in court unless they're made in front of a magistrate, who is an official with legal authority. It also explains that a village headman who isn't acting as a magistrate under the law can't be considered a magistrate for this purpose.

2. What are the Rights of accused and victims?

Here are ten points outlining the rights of both accused individuals and victims in Bangladesh:

Rights of Accused Persons:

- **Right to Legal Representation:** Accused individuals have the right to be represented by a lawyer of their choice throughout the legal proceedings.
- **Right to Know Charges:** Accused persons are entitled to be informed promptly and in detail of the charges brought against them.
- **Right to Bail:** Unless charged with a non-bailable offense, the accused has the right to seek bail, subject to the court's discretion and conditions.
- **Right to Fair Trial:** Accused individuals have the right to a fair and impartial trial conducted according to established legal procedures.
- **Presumption of Innocence:** Accused individuals are presumed innocent until proven guilty beyond a reasonable doubt, with the burden of proof resting on the prosecution.
- **Protection against Self-Incrimination:** Accused persons cannot be compelled to testify against themselves and have the right to remain silent.
- **Right to Confront Witnesses:** Accused individuals have the right to confront and cross-examine witnesses presented against them.
- **Right to Appeal:** Accused individuals have the right to appeal against any adverse judgment or sentence passed against them.
- **Protection from Double Jeopardy:** Accused persons cannot be tried or punished twice for the same offense.
- **Right to Humane Treatment:** Accused individuals have the right to be treated with dignity and respect, including protection from torture or cruel, inhuman, or degrading treatment.

Rights of Victims:

- **Right to Information:** Victims have the right to be informed about the progress of the case, including arrests, charges, and court proceedings.
- **Right to Assistance:** Victims are entitled to receive assistance, support, and protection from law enforcement agencies and relevant authorities.
- **Right to Compensation:** Victims of certain crimes may be entitled to compensation from the government or other sources for their injuries or losses.
- **Right to Participation:** Victims have the right to participate in the criminal justice process, including providing statements, presenting evidence, and attending court proceedings.
- **Right to Privacy:** Victims have the right to privacy and protection of personal information throughout the legal proceedings.
- **Right to Safety:** Victims have the right to safety and protection from harassment, intimidation, or retaliation.
- **Right to Restitution:** In cases of conviction, victims have the right to seek restitution or compensation for any harm or losses suffered as a result of the crime.
- **Right to Support Services:** Victims have the right to access support services, such as counseling, medical assistance, and legal aid.
- **Right to Speedy Trial:** Victims have the right to a speedy trial, without undue delay, to ensure timely justice.
- **Right to Fair Treatment:** Victims have the right to be treated fairly and respectfully by all parties involved in the criminal justice system.

3. What do you think is the role of interrogation in case investigation? What do you think is important to be careful about in interrogation?

In solving a crime, interrogation plays a vital role in finding out what really happened and identifying the person responsible. Interrogation is a process where skilled investigators ask questions to gather information and uncover the truth. They use intelligence and strategic questioning to get answers from witnesses, victims, or suspects. This helps ensure a fair investigation and helps to uncover the facts of the case.

According to **section 161 of, PRB 265**, the investigating officer records the statement of the victim, witness or accused person. The following points need to be taken care of during interrogation.

1. The witness should be examined to see if he will actually testify?
2. What are eyewitnesses?
3. Is it trying to criminalize an innocent person not connected to the incident?
4. Is the investigating officer trying to mislead?
5. Does the accused have any previous relationship with the witness?
6. The witness may know and say everything, but cannot say anything correctly. May be he is hesitating.

Investigating Officer should follow Section 155-162 of Crpc.

Witnesses should be questioned through cross-examination. This process requires careful judgment, patience, and skill. It's important to conduct the examination thoroughly and with expertise to ensure accuracy and completeness in the work done.

Rules for examination of witnesses are discussed below:

1. Begin by visiting and examining the scene of the case to understand how the accused carried out the crime. Make sure to cover all aspects while questioning witnesses.
2. Question plaintiffs or witnesses at the scene of the incident. Record their statements according to Section 161 of the CRPC and PRB265.
3. Start by questioning the plaintiff, then record statements from the victim or reliable eyewitnesses.
4. Witnesses often forget details, so it's important to question them at the scene.
5. Avoid removing evidence from the scene without reason, as distance can affect witness recollections.
6. Keep witnesses separated to prevent them from influencing each other.
7. Confirm witness statements by cross-referencing with others.
8. Show patience and empathy during questioning.
9. Clearly identify yourself and the purpose of the questioning.
10. Communicate the reasons for questioning clearly to the individual being questioned.
11. Treat rape victims with sensitivity, avoiding unnecessary embarrassing questions and using polite language.
12. Avoid torture during interrogation, and assure safety and support.
13. Ask questions that are fair, clear, neutral, and legal. Use the witness's preferred language if necessary.
14. Record the identities of the deponent, accused, and others involved.
15. Record statements in the language spoken by the deponent.
16. Include full details of the accused, such as name, address, age, appearance, and identifying marks.
17. Follow the conditions of Sections 160, 161, and 162 of the CRPC and adhere to prescribed rules.
18. Obtain a commitment from witnesses to appear in court and provide evidence, as per Section 170(2) of the CRPC.

Interrogation Room Structure:

1. The room will not be too big.
2. There will be modest furniture.
3. There will be no ringing bell telephones.
4. There will be no decoration on the walls of the house.
5. No outside view should be seen from the room.
6. There will be arrangements for secret recording.

How the interrogation should begin:

1. Through emotional initiation.
2. Kindly
3. Kindly at first, then harshly.
4. By showing fear.
5. By giving the opportunity to lie.
6. Constantly asking questions.
7. Through identification exercises.

After questioning the accused, their statement needs to be recorded as per Section 161 of the law Crpc and PRB 265. If the accused admits guilt, this statement should be sent to the magistrate under Section 164 CRpc. Additionally, as per PRB 467, the record of the confession should be organized.

4. What is surathal? Prepare sample post mortem report of deceased person in road accident.

When a person dies suddenly or commits suicide or is murdered or dies in an accident, the report prepared by the police officer or the magistrate mentioning the description of the dead body is called surthal report. Section 174 of the Criminal Procedure Code. As per rule PRB 299, Crpc 174 the post mortem report should mention the following points.

Surathal report

Source: GD No. 530 of Daulatpur Police Station	Date: 20.12.2013 AD
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Deceased: Jamal Hossain,

age estimated 25 years,

father- Kamal Hossain,

Village- Deyana, Thana- Daulatpur, District- Khulna

Post mortem report:

On December 20, 2013, at 11:30 am, I, SI Abul Kalam, along with Constable 550 Abul Hossain, arrived at Daulatpur Bus Stand Road under the Police Station. We found the dead body of Jamal Hossain on the north side of the paved road, identified by his brother Abul Kasem. I began preparing the body condition report for written witnesses.

Description of the deceased: Jamal Hussain's body was examined in the presence of witnesses. He was wearing a half-sleeve check shirt and black jeans pants. He appeared to be around 25 years old with brown skin, a long face, and black hair, about one and a half inches long. His eyes were closed, face bloodied, mouth half-open with visible teeth, and blood coming out of his nose. There was a cracked bloody wound on the back of his head, with blood-stained hair. Both hands were half-fisted

and blood-stained, with the right elbow torn. His legs were long, with lacerations and peeling injuries on the left knee.

Preliminary investigation suggests that on December 20, 2013, around 10:30 am, Jamal Hossain was hit by an unknown truck while crossing the road near Daulpur Bazar. The truck was traveling from Jessore towards Khulna. He fell on the road and died due to the bursting bloody wound.

To determine the exact cause of death, I sent the body through Constable 550 Abul Hossain to the Head of Forensic Medicine Department at Khulna Medical College Hospital Morgue for postmortem on December 20, 2013. Necessary documents were attached along with the body challan form.

Signatures of Witnesses: 1. Md. Akbar Ali, (50) Father- A. hello Village- Daulatpur Police Station- Daulatpur District- Khulna. 2. Maqbul Hossain (40), Father-deceased: Ah Latif	The submitter (Abul Kalam) S. i Police Station - Daulatpur District - Khulna.
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5. What is brief? Purpose of brief.

(PRB Regulation-444)

Definition of Case Brief or Case Brief:

The report made by the court police or the case officer to find and fix mistakes after the investigation officer submits the charge sheet is called a case summary or case brief. This report is put together by looking over witness statements, the charge sheet itself, and the case diary.

Brief copy of the case:

- 1) 02 (two) copies of case summary or case brief are to be prepared.
- 2) Circle ASP and Superintendent of Police will each receive 01 (one) copy of case brief.

Ways to correct the brief:

Errors pointed out in the brief of the Officer-in-Charge of the Police Station and he will Correct it by himself or take corrective action.

Here are ten points outlining the purpose of a brief:

- **Summarization:** A brief condenses complex information into a concise format, making it easier to understand and manage.
- **Clarity:** It provides a clear overview of the case or situation, helping readers grasp the key points quickly.
- **Identification of Issues:** A brief helps identify the main issues or problems at hand, enabling efficient problem-solving and decision-making.

- **Analysis:** It allows for a thorough examination and analysis of relevant facts, evidence, and legal principles, aiding in informed decision-making.
- **Preparation for Action:** A brief prepares individuals or teams for action by outlining the necessary steps, strategies, and considerations.
- **Communication:** It facilitates effective communication by providing a structured format for conveying information to stakeholders, such as clients, colleagues, or superiors.
- **Documentation:** A brief serves as a documented record of important information, decisions, and actions taken, ensuring accountability and transparency.
- **Legal Justification:** In legal contexts, a brief presents the legal arguments, precedents, and authorities supporting a particular position or outcome.
- **Persuasion:** It is often used as a persuasive tool to advocate for a particular course of action or to influence decision-makers.
- **Time Efficiency:** By presenting key information in a concise and organized manner, a brief saves time for both the author and the reader, facilitating efficient decision-making and action.

6. Discuss the procedure of investigation of Unnatural death cases. Describe the evidence required to be seized from the crime scene in a case of suicide by hanging.

Unnatural death case or U.D. case filed under Section 174 of CRPC in police station due to accidental death or accidental death or suicide or suspicious death. Section 174 of CRPC & PRB-299.

Such cases may arise for the following reasons:

1. If you hang yourself with a noose.
2. If you commit suicide by drinking poison.
3. Death by any wild animal or animal.
4. If the ground or mountain is buried and death.
5. If someone dies due to lightning.
6. Death by boat or ship sinking.
7. If someone dies by drowning in water.
8. In case of death in an accident while operating any machinery.
9. If someone dies suddenly.
10. In case of suspicious death.
11. If someone dies due to electrical short circuit.
12. Death by falling from a tall building, tree or roof.
13. If someone dies due to accidental fire.

Proceedings of investigation in death cases:

Procedure of investigation

1. The death case was filed under Section 174 of the CRPC
2. Appointment of Investigating Officer by OC.
3. Anti-death cases are given in the general diary of the police station.
4. Receipt and review of copy of death case by Investigating Officer.
5. Take video, camera and kitbox with you.
6. Take the body out of the challan and the necessary documents.
7. Rushing to the spot with an entry in the General Diary with the permission of the Officer-in-Charge while wearing officers and force uniforms.
8. Arriving at the scene of the case very quickly and inspecting the scene. Section 156 of the Criminal Procedure Code. PRB Rule 258
9. Crime scene preservation including cordoning off crime scene with red or green tape and taking photographs of crime scene scenes. PRB 635 Rule.
10. Seizing material evidence from the scene or crime scene and taking it into custody. Summoning of two or more witnesses under CrPC 175.
11. According to Section 161 of the Code of Criminal Procedure, recording of statements of witnesses.
12. Drawing the draft map and index of the site. PRB Rule 273.
13. According to the identification of the dead person, to face the witnesses by turning the body upside down and formulating the condition of the body. 174 of the Code of Criminal Procedure, PRB 299.
14. PRB 313 Rules for taking fingerprints of corpses.
15. Photographing the face of the corpse, PRB Rule 314.
16. Investigating Officer Through Mofhaswal CC, two constables will send the dead body to the nearest hospital morgue for ascertaining the exact cause of death with a surathal report and challan form. P. And. Rules B-304-305.
17. Take all necessary steps for disposing of the dead body to his next of kin after post-mortem examination. PRB Rule 310.
18. If any physical evidence is seized, it should be sent to an expert for examination.
19. After coming to the police station, make a note in the general diary about the investigation of the case and inform the result of the investigation to the officer in charge of the police station. Section 168 of the Criminal Procedure Code.
20. After receiving the postmortem report of the dead body, review and submit the police report to the court.

If the post-mortem report of the forensic expert doctor mentions (Homicidal in nature) in the post-mortem report of the dead body. In this case, filing a case under section 302 of the Penal Code at the police station as a plaintiff.

The following evidence may be seized from the scene of suicide by hanging:

1. All types of fingerprints including latent prints.
2. All kinds of footprints, shoe prints.
3. Blood, semen, vomit, excreta, sputum etc.

4. The rope or cloth or veil with which the noose is attached to the neck.

5. D. N. A. Crime scene samples – cigarette butts, handkerchiefs, shoes, socks, all objects that have been touched by the criminal.

6. Blood stained clothes, clothing, torch lights, weapons used by criminals.

7. Hair, yarn, fibers, car wheels, blood-stained soil, sand, chemicals, empty bottles, parts of any foodstuff especially.

The evidence was seized by CRPC Sub-section 103 (2), PRB 280 Rule. Inquest into death cases Section 174 of the CRPC, PRB Rule 299.

7. Who is the first responder and his duties.

In the context of a crime, the term "first responder" typically refers to law enforcement officers, such as police officers. They are usually the first individuals to arrive at the scene of a crime after it has been reported. Their primary responsibilities include securing the scene, ensuring the safety of individuals involved, providing medical assistance if necessary, and initiating the initial stages of the investigation.

Role of first responder in a crime.

The first responder in a crime plays a critical role in the immediate aftermath of an incident. Whether it's law enforcement officers, emergency medical personnel, or firefighters, their roles may vary but are crucial in ensuring the safety of individuals and preserving evidence. Here's an overview of their roles:

Law Enforcement Officers:

- **Scene Assessment:** Law enforcement officers are responsible for quickly assessing the crime scene upon arrival. This involves evaluating the safety of the environment, identifying potential hazards, and determining the scope of the incident.
- **Scene Security:** First responders must secure the crime scene to prevent contamination or tampering of evidence. They establish a perimeter to control access and preserve the integrity of the scene until investigators arrive.
- **Safety of Individuals:** Officers prioritize the safety of individuals present at the scene, including victims, witnesses, bystanders, and themselves. They provide immediate assistance to those in need and ensure everyone's well-being.
- **Medical Assistance:** When necessary, first responders administer first aid or call for emergency medical services to provide medical assistance to injured parties. They may perform life-saving measures such as CPR or controlling bleeding.
- **Preservation of Evidence:** Law enforcement officers are responsible for preserving and protecting evidence at the crime scene. They carefully document the location and condition of evidence, preventing contamination or destruction.
- **Initial Documentation:** First responders document essential information about the crime scene, including observations, witness statements, and preliminary assessments. They record details such as the date, time, and location of the incident.

- **Coordination with Other Agencies:** Officers collaborate with other emergency response agencies, such as EMS personnel and fire department personnel, to ensure a coordinated response to the incident.
- **Witness Management:** Law enforcement officers interview witnesses to gather information about the crime. They record witness statements, gather contact information, and assess the credibility of eyewitnesses.
- **Scene Preservation:** First responders take steps to preserve the integrity of the crime scene, including controlling foot traffic, limiting access to authorized personnel only, and minimizing disturbances to the area.
- **Initial Investigation:** While awaiting the arrival of investigators, first responders conduct preliminary investigations to gather information and clues that may assist in solving the crime. They document observations, collect basic evidence, and report findings to investigative teams.

Emergency Medical Personnel:

- **Medical Assistance:** Provide immediate medical aid to injured individuals, stabilize their condition, and arrange for transport to medical facilities.
- **Assessment and Triage:** Assess the severity of injuries and prioritize care based on the level of urgency (triage).
- **Collaboration with Law Enforcement:** Coordinate with law enforcement to ensure a safe environment for medical intervention and provide support in providing care in potentially dangerous situations.

Firefighters or Emergency Responders:

- **Rescue and Safety:** Rescue individuals trapped or endangered due to the incident, ensuring their safety.
- **Containment and Mitigation:** Contain hazardous situations, mitigate risks (such as fires, hazardous materials), and prevent further damage or injuries.

Overall Responsibilities:

- **Preserve Evidence:** Prevent contamination of the crime scene, protect evidence, and ensure proper handling until specialized investigators arrive.
- **Communication:** Establish effective communication with all involved parties, coordinate efforts between agencies, and update authorities on the situation's status.
- **Collaboration:** Collaborate with other responders and agencies to ensure a coordinated and efficient response to the incident.

The first responders' actions and decisions at the initial stages of a crime scene are crucial in setting the foundation for subsequent investigations, providing immediate care to those affected, and ensuring the safety and security of the area.

8. What is the final report called? What are the types of final reports and explain what they are?

If, after investigation, it's found that the incident described in the statement is incorrect, and there's no witness evidence to support a criminal offense, the investigating police officer submits a report to

the court to acquit the accused. This report is called the final report, as per Section 173(3a) of the Code of Criminal Procedure, PRB-275, and BP Form No. 42.

Final report total 5 (five) types. Namely:

1. The final report is true,
2. The final report is intentionally false,
3. Informative errors in the final report/ Final report as mistake of fact
4. Legal errors in the final report/ Final report as mistake of law
5. The final report is inadmissible/ Final report as non-cognizable

Details:

1. **Final Report as True (FRT):** The facts described in the statement are true but there is no evidence, in this case the final report of the investigating officer is FRT.
2. **Final Report as Intentionally False (FRIF):** The incident is false and harassing, in this case the final report of the investigating officer is FRIF/FRF
3. **Final Report as Mistake of Fact (FRMF):** The incident found in the investigation is one type and the incident described in the statement is another type, in this case the final report of the investigating officer is FRMF.
4. **Final Report as Mistake of Law (FRML):** The final report given by the investigating officer is the final report given by the investigating officer in a case where the case will proceed under a law other than the law in which the statement has been filed.
5. **Final Report as Non Cognizable (FRN-Cog):** If the incident described in the statement is partially proved and it is not eligible for FIR, the IO will submit the Non FIR Prosecution Report to the court with the permission of the court. This is FRN-Cog.

Section 173 (3 a) of the Code of Criminal Procedure. [PRB-275.]

By filing the final report, the report is filed in the learned court to exonerate all the accused in the case of any cognizable offence.

9. What is FIR? Give the characteristics of FIR.

What is an FIR?

First Information Report (FIR) is a written document prepared by the police when they receive information about the commission of a cognizable offence. It is a report of information that reaches the police first in point of time and that is why it is called the First Information Report. It is generally

a complaint lodged with the police by the victim of a cognizable offence or by someone on his/her behalf.

According to PRB-243

(a) The first information report (FIR) of a cognizable crime, as outlined in Section 154 of the Code of Criminal Procedure, must be drawn up by the officer in charge of the police station using B.P. Form No. 27, following the provided instructions.

(b) The FIR must be written by the officer receiving the information in their own handwriting, signed, and sealed by them.

(c) The information of the commission of a cognizable crime, whether oral or written, shall be treated as the first information. It may be provided by a person with direct knowledge of the facts or based on hearsay. The station officer shall not wait to record the statement of the actual complainant or an eyewitness when hearsay information is given.

(d) Vague rumors shall be distinguished from hearsay reports. They should not be reduced to writing or signed by the informant but entered in the general diary. If subsequent information proves the rumor to be well-founded, it shall constitute the first information.

(e) Telegrams do not comply with Section 154, but if circumstances justify action, the receiving officer should lodge a first information based on the telegram or make an entry in the general diary. Similarly, in the case of a telephone message, the informant should be asked to come to the police station to lodge the information, and an entry should be made in the general diary.

(f) Police officers should not defer drawing up the FIR until they have tested the truth of the complaint. They shall not wait for the result of medical examination before recording an FIR, especially in cases of grievous hurt or other cognizable crimes.

(g) Constables left in charge of a station may accept written or oral reports of cognizable offenses, enter them in the general diary, and inform the officer in charge. Immediate information shall be sent to the Circle Inspector for heinous crimes like dacoity or murder, and steps should be taken for the immediate apprehension of the accused if necessary.

(h) Once recorded, FIRs shall not be canceled by station officers.

Overall, FIRs are crucial documents that initiate the process of criminal investigation and legal proceedings, and they must be prepared promptly, accurately, and in accordance with the law.

Here are the characteristics of an FIR:

1. There must be a record of the incident relating to the relevant offence.
2. Correspondent must have name, address.
3. The medium of receipt must be mentioned.
4. The date and time of the incident must be recorded.
5. There should be a sequential description of events.
6. Names and addresses of witnesses should be there.
7. The name and address of the accused should be there.

8. Name/Address of Defendant No. If known, there should be a description.
9. Amount or description of damages.
10. In case of delay, the reason should be mentioned.
11. Correspondent's signature/note must be included.
12. In case of tipshoi, the signature of the tipshoi identifier should be taken.

These characteristics collectively ensure that the FIR serves as an official record of the initial report of a cognizable offense and guides subsequent actions by law enforcement authorities.

10. What is crime scene? What is the physical evidence find in a crime scene?

A crime scene is the location where a criminal act has occurred, and it encompasses the area where evidence related to the crime is present. It is crucial to preserve and analyze the crime scene thoroughly to gather information and evidence that can aid in solving the crime and prosecuting the perpetrator(s).

Physical evidence found at a crime scene can vary depending on the nature of the crime and the circumstances surrounding it. Common types of physical evidence encountered at crime scenes include:

- **Biological Evidence:** This includes bodily fluids such as blood, saliva, semen, or tissue samples. DNA analysis of biological evidence can often help identify suspects or victims.
- **Trace Evidence:** Trace evidence consists of small, microscopic materials that can link individuals or objects to a crime scene, such as fibers, hair, paint chips, glass fragments, or gunshot residue.
- **Fingerprints:** Fingerprints left behind by suspects or individuals present at the crime scene can be collected and analyzed to identify individuals and establish their presence.
- **Footwear Impressions:** Footprints or shoe impressions left at the scene can provide valuable information about the movements of individuals involved in the crime.
- **Toolmarks and Impressions:** Tools or instruments used in the commission of the crime may leave behind toolmarks or impressions on surfaces, such as pry marks on doors or tire impressions.
- **Weapons:** Weapons used in the commission of the crime, such as firearms, knives, or blunt objects, are often found at the crime scene and are crucial pieces of physical evidence.
- **Documents and Records:** Documents, such as notes, letters, or receipts, found at the scene may provide valuable information about the motive or identity of the perpetrator.
- **Electronic Evidence:** In modern crime scenes, electronic devices such as computers, smartphones, or surveillance cameras may contain digital evidence, including emails, texts, or images relevant to the crime.
- **Vehicle Evidence:** In cases involving vehicular crimes, vehicles present at the scene may contain physical evidence such as bloodstains, fibers, or damage consistent with the crime.
- **Fire and Arson Residue:** In cases of arson or fire-related crimes, evidence such as accelerants, burn patterns, or debris can provide insight into the cause and origin of the fire and the possibility of foul play.

These are just a few examples of the physical evidence commonly found at crime scenes. Proper documentation, collection, preservation, and analysis of physical evidence are essential steps in the

investigation process to establish facts, identify suspects, and ultimately bring justice to victims of crime.

11. In which ground appeal be made in any cases? Can someone be convicted of the same crime again?

Appeal Ground

404. You can't appeal a judgment or order from a Criminal Court unless allowed by this Code or other laws in force.

405. If any Court rejects your request under section 89 to get back property or its sale proceeds, you can appeal to the higher court where appeals against the former court's sentences are usually made.

406. If a Magistrate orders you under section 118 to provide security for keeping the peace or good behavior, you can appeal against that order to the Court of Session.

406A. If you're unhappy with an order that rejects or accepts a surety under section 122:

a) If the order was made by the Chief Metropolitan Magistrate, Chief Judicial Magistrate, or a District Magistrate, you can appeal to the Court of Session.

b) If the order was made by a Metropolitan Magistrate (other than the Chief), you can appeal to the Chief Metropolitan Magistrate.

c) If the order was made by any other Magistrate, whether Executive or Judicial, you can appeal to the District Magistrate or the Chief Judicial Magistrate.

407. If you're found guilty in a trial conducted by a Magistrate of the second or third class, you can appeal to the Chief Judicial Magistrate. They have the authority to hear and decide the appeal themselves or transfer it to any Additional Chief Judicial Magistrate. They also have the power to withdraw an appeal that has been transferred.

408. If you're found guilty in a trial conducted by a Joint Sessions Judge, Metropolitan Magistrate, or any Judicial Magistrate of the first class, you can appeal to the Sessions Judge.

410. Appeal to High Court Division: Any person convicted in a trial by a Sessions Judge or Additional Sessions Judge can appeal to the High Court Division.

417. Government-Directed Appeals: The Government can instruct the Public Prosecutor to file an appeal in two scenarios:

a) From an original or appellate Order of acquittal issued by any Court of Session, the appeal is made to the High Court Division.

b) From an original or appellate Order of acquittal issued by any Magistrate, the appeal is made to the Court of Session.

417A. Appeal against Inadequate Sentence: The Government has the authority to direct the Public Prosecutor to appeal to the High Court Division against the sentence on the grounds of its inadequacy, in any case of conviction on a trial held by any court.

Convicted of the same crime again

Section 403:

- If someone has been tried and either convicted or acquitted of an offense, they cannot be tried again for the same offense or any other offense based on the same facts. This applies even if a different charge could have been brought against them for the same facts.
- However, if a person has been acquitted or convicted of one offense, they can still be tried for a different offense that could have been charged separately during the first trial.
- If a person is convicted of an offense that resulted in certain consequences, but those consequences were not known at the time of the trial, they can be tried for the offense that includes those consequences.
- Even if someone has been acquitted or convicted of one offense, they can still be charged and tried for a different offense based on the same actions, as long as the court that tried them originally did not have the authority to try the second offense.
- This section doesn't affect the provisions of the General Clauses Act, 1897, or section 188 of this Code.

12. What is TI parade? Write in details.

Test Identification (TI) parade

A Test Identification (TI) parade, also known as an identification parade or lineup, is a procedure used in criminal investigations to help witnesses identify suspects. During a TI parade, the suspect (or suspects) is presented along with other individuals who have similar characteristics, such as appearance, height, build, and ethnicity.

The purpose of the TI parade is to determine whether witnesses can identify the suspect as the perpetrator of the crime. Witnesses who were present during the crime or have relevant information are asked to carefully observe the lineup and identify if they recognize any of the individuals as the perpetrator.

It is described in PRB 282

(a) When identification of a suspect is needed, it's best done in the presence of a Magistrate, Sub registrar or other impartial individuals. Care should be taken to prevent collusion between witnesses and the police. The identification should be conducted soon after the arrest, with suspects mixed in with similar-looking individuals. The identification process should be conducted out of sight and hearing of other witnesses.

(b) A form BP no-45 should be prepared when suspects are presented for identification. Witnesses should testify to the fairness of the identification process.

(c) These rules apply when witnesses need to recognize suspects they haven't previously known. If a witness recognizes someone they know, credibility is determined by the courts, not departmental rules.

(d) Identification proceedings are meant to test a witness's ability to identify a suspect and gather evidence for trial. Magistrates conduct proceedings impartially but don't act in a judicial capacity unless the case is under trial before them.

(e) Test identifications should, whenever possible, be held inside jails. Under-trial prisoners or suspects in jail should be separated from others, except with permission. Confessing accused may be mixed with non-confessing accused unless separate identification is required.

(f) Police must prevent the mixing of suspects arrested during an incident with those arrested later. Offenders' names and arrest details should be recorded promptly. Offenders caught red-handed should be kept separate from those arrested on suspicion.

(g) If a suspect refuses to attend an identification parade, action can't be taken based solely on identification evidence. However, if other evidence exists, the suspect can be sent for trial, and the refusal noted. The Magistrate conducting the parade should note in BP form-45, record the refusal, and if the suspect is later sent for trial, the Magistrate may be called as a witness to prove the refusal.

13. What is Village crime note book? Write in details.

For the purpose of effective control of crime, it is necessary to have a permanent and consistent record of the criminal history of the area and the people concerned. To ensure this, a village crime note book should be maintained for each village or any other administrative area designated as a unit for the purpose. It will include information about crimes and criminals, including notorious criminals and suspects. Village Crime Note Book in BP Form No-78-83(1-5) will be kept in each district police station. The note book is maintained under the provisions of Section 12 of the Police Act, 1861 and is to be treated as an unpublished official document relating to state affairs.

This is a confidential and privileged document. The document shall not be exhibited in Court without the permission of the Chief Officer of the Constable's Office, and no Judge shall compel its production in Court without the permission of the said Officer (Section 165 of the Evidence Act, 1872). or may not collect copies of any of its subject matter.

Division of Village Crime Note Book

- 1st Part - Crime Register: Professional crimes committed in the concerned area will be recorded. Regulation 393.
- 2nd Part - Conviction Register: Details of the convictions of the accused will be recorded as described in Regulation 394.
- 3rd Part - History of Villages: Particulars about the occurrence of specific crimes on a large scale in the village shall be recorded. Regulation 400.
- 4th Part - Background Paper: All the people living in the village believed to be involved in professional crime will have their personal biographies recorded, with an index at the beginning. Regulation 401.

- Part 4-A: Inquiry report about persons under surveillance and their movements. Regulation 404.
- 5th Part - A list of persons whose names have been entered in Part II but not convicted, but who are suspects in the case. Regulation 405.

Note: A crime notebook shall be opened for municipal areas, and the above rules shall apply to treat town outposts as units as far as possible.

14. Write details about-

Sketch map

A sketch map is a simple, hand-drawn illustration that depicts the layout of a specific area or scene. In the context of criminal investigations, a sketch map is prepared by the investigating officer to show the places of occurrence and relevant landmarks related to a crime. It provides a visual representation of the crime scene, including important details such as the location of the incident, nearby buildings, roads, paths, and any tangible evidence found at the scene.

The purpose of a sketch map is to help supervising officers, trial courts, and other stakeholders gain a clear understanding of the scene of the crime. It aids in visualizing the spatial relationships between different elements of the crime scene and assists in interpreting witness statements and evidence.

A sketch map is typically drawn by hand and may not be drawn to scale, although efforts should be made to ensure accuracy. It should be accompanied by relevant annotations or explanations to clarify the significance of different features depicted on the map. Additionally, the sketch map must be signed by the investigating officer who prepared it to attest to its accuracy and authenticity.

Maps and plans are useful in criminal investigation and prosecution for the following reasons-

- They reduce the length of reports
- They make a much more erect impression on the mind than written reports
- They make a lucid explanation of intricate case fairly easy
- Their preparation increases the power of observation of the Investigating Officer
- They introduce method into investigation
- They help lodges, Magistrate Jurymen and others to an accurate understanding of e case
- They often prove whether a witness is reliable or not

According to PRB-273

(a) A map must accompany the charge-sheet in cases of murder, dacoity, serious riot, mail robbery, highway robbery, extensive burglary, or theft of Rs. 600 or more. The investigating officer may choose to include a map in other cases at their discretion. The map should be prepared early in the investigation.

(b) Ideally, the map should be drawn to scale, but it's not essential. If not to scale, this should be clearly noted.

(c) The draughtsman or investigating officer must distinguish between facts seen by themselves and those reported by witnesses. Objects seen directly are marked with letters, while witness-derived information is marked with numbers. Explanations for letters and numbers are provided on separate sheets.

(d) The case number and accused name must be stated on the map, with the draughtsman's signature at the bottom. Cadastral and other maps should be used where available.

(e) The draughtsman or investigating officer who prepared the map must be produced as a witness during the trial.

Supervision Note

A police supervision note, also known as a supervisory memo or report, is an official document prepared by a senior police officer to provide guidance, instructions, or updates regarding the progress of an investigation or other police activities. It serves as a means of communication between supervisory officers and personnel under their command. Here are the key components and considerations for preparing a police supervision note according to the law:

- **Title and Identification:** The note should clearly indicate its purpose and relevance, such as "Supervision Note Regarding Case Investigation" or "Supervision Note for Patrol Duties."
- **Date and Reference:** The note should include the date of issuance and any reference numbers or case identifiers to ensure proper tracking and documentation.
- **Recipient:** Clearly specify the intended recipient(s) of the supervision note, whether it be individual officers, units, or departments within the police force.
- **Summary of Instructions or Updates:** Provide a concise summary of the instructions, guidance, or updates being conveyed in the note. This may include directives related to ongoing investigations, patrol duties, crime prevention initiatives, or administrative matters.
- **Legal Considerations:** Ensure that any instructions or actions outlined in the supervision note comply with relevant laws, regulations, and departmental policies. Avoid instructions that may infringe upon individuals' rights or violate procedural safeguards.
- **Clarity and Specificity:** Clearly articulate the expectations and responsibilities of the recipients. Use specific language and provide detailed guidance to ensure clarity and understanding.
- **Timeline and Deadlines:** If applicable, specify any deadlines or timelines for completing assigned tasks or implementing directives outlined in the supervision note.
- **Documentation and Record-Keeping:** Maintain proper documentation of the supervision note, including copies distributed to recipients and records of acknowledgments or responses received.
- **Confidentiality and Security:** Ensure that sensitive information included in the supervision note is handled with appropriate confidentiality and security measures to prevent unauthorized access or disclosure.
- **Review and Follow-Up:** Periodically review the effectiveness of the instructions or directives provided in the supervision note. Follow up with recipients to monitor progress, address any issues or concerns, and provide additional guidance or support as needed.

Overall, a police supervision note should be prepared with careful consideration of legal requirements, clarity of communication, and adherence to professional standards and protocols. It serves as a vital tool for effective supervision, coordination, and communication within the police force, contributing to the overall efficiency and success of law enforcement operations.

Chargesheet

A police charge sheet, also known as a final report or a challan, is a formal document prepared by the investigating officer upon completion of the investigation into a criminal case. It serves as the basis for initiating legal proceedings against the accused in court. Here's an overview of the components and requirements of a police charge sheet according to the law:

- **Title and Identification:** The charge sheet should clearly state the title of the case, including the names of the parties involved, such as the State versus [Accused Name].
- **Facts of the Case:** The charge sheet should contain a brief overview of the facts and circumstances surrounding the alleged offense. This includes details such as the date, time, and location of the incident, as well as a description of the offense committed.
- **Offense Alleged:** The specific offense(s) alleged against the accused should be clearly stated in the charge sheet. This includes citing the relevant sections of the law under which the accused is charged.
- **Details of Investigation:** The charge sheet should provide a summary of the investigation conducted by the police, including the evidence collected, witness statements, forensic reports, and any other relevant information gathered during the investigation.
- **Accused's Details:** Details of the accused, including their name, age, address, occupation, and any other relevant personal information, should be included in the charge sheet.
- **List of Witnesses:** A list of witnesses to be presented by the prosecution during the trial should be appended to the charge sheet.
- **Documents and Exhibits:** Copies of relevant documents, such as the FIR, witness statements, forensic reports, and other exhibits collected during the investigation, should be attached to the charge sheet.
- **Signature and Authentication:** The charge sheet must be signed by the investigating officer responsible for the case, certifying that the contents of the charge sheet are true and accurate to the best of their knowledge and belief.
- **Filing with the Court:** The charge sheet must be filed with the appropriate court within the stipulated time frame prescribed by law.
- **Compliance with Legal Requirements:** The preparation and filing of the charge sheet must comply with the procedural requirements set forth in the Criminal Procedure Code (CrPC) or other relevant laws governing criminal proceedings in the jurisdiction.

Overall, a police charge sheet is a crucial legal document that outlines the allegations against the accused and serves as the basis for initiating the trial process in a court of law. It must be prepared meticulously, ensuring accuracy, completeness, and adherence to legal procedures, to withstand scrutiny during the subsequent legal proceedings.

15. Memo of Evidence

The memo of evidence, also known as the memorandum of evidence, is a document provided by the investigating police officer alongside the final case diary when presenting the charge sheet to the court officer at the conclusion of an investigation into a cognizable offense. A copy of this memo should also be forwarded to the Superintendent of Police.

Typically, the memo of evidence is required in significant cases such as murder, robbery, banditry, kidnapping, political cases, smuggling, offenses under the Arms Act, cases related to women and child abuse, Speedy Trial Act cases, major riot cases, arson, etc. Prior to its submission, the opinions of the officer-in-charge of the police station and the circle ASP are sought.

For further clarification or assistance, please refer to PRB Rule 274.

Investigations:

Investigation is a crucial process in the field of law enforcement and criminal justice, aiming to gather evidence and information to understand the circumstances surrounding an alleged crime or incident. It involves a systematic and thorough examination of facts, events, and individuals involved, with the primary goal of establishing the truth and uncovering the truth.

Key aspects of an investigation include:

- **Evidence Collection:** Investigators gather various types of evidence, including physical evidence (such as fingerprints, DNA, and weapons), testimonial evidence (statements from witnesses and suspects), and documentary evidence (such as records and documents).
- **Interviews and Interrogations:** Investigators conduct interviews with witnesses, victims, and suspects to gather information and statements relevant to the case. Interrogations may be conducted with suspects to elicit confessions or obtain additional information.
- **Crime Scene Examination:** Investigators thoroughly examine the crime scene to identify and collect physical evidence, document the scene through photography and sketches, and reconstruct the sequence of events.
- **Analysis and Forensics:** Forensic experts analyze collected evidence using scientific methods and techniques to determine its relevance to the case and extract valuable information, such as identifying suspects or establishing the cause of death.
- **Collaboration and Coordination:** Investigations often involve collaboration between various agencies, such as law enforcement departments, forensic laboratories, and legal authorities. Effective coordination ensures that all aspects of the investigation are addressed efficiently.
- **Documentation and Reporting:** Investigators document their findings, observations, and actions throughout the investigation process. A comprehensive report detailing the investigation's findings, conclusions, and recommendations is typically prepared for submission to relevant authorities or used in court proceedings.

Overall, a thorough and meticulous investigation is essential for ensuring the fair and impartial administration of justice, as it provides the foundation for making informed decisions and prosecuting individuals responsible for criminal offenses.

16. What is the identification mark of a vehicle? How BRTA do registration? What documents are needed?

Identification

<ul style="list-style-type: none">• Type• Chassis number• Engine number• Manufacturer's plate	<ul style="list-style-type: none">• Color• Capacity• Number of Doors• Wheel size	<ul style="list-style-type: none">• Right Hand Drive• Left Hand Drive• Registration Number• Any mark(s) of user(s)
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Documents/Process for vehicle registration

- Taxpayer Identification Number certificate (TIN)
- A registration application
- A copy of your national identification card (NID)
- 4-3 passport-sized photos
- Motor Vehicle TTO (Transferor Transfer of Ownership) form
- Sale receipt
- Fees deposit slip
- Inspection

Documents given by BRTA

- Registration Number Plate
- Ownership Documents (Reg. certificates)
- Fitness certificate
- Tax token
- Route permit (If applicable)

Vehicle Registration

- No driving without registration certificate.
- Written application for registration
- No driving without registration plate
- Application process, fees, renew etc. shall be administrated by rules
- Separate registration for Prime Mover or Trailer
- False, fake, altered registration use and exhibit
- Temporary registration
- Separate registration for AFD
- NBR's permission-Embassy and International organization

The Bangladesh Road Transport Authority (BRTA) is responsible for vehicle registration in Bangladesh. The process of vehicle registration by BRTA typically involves the following steps:

- **Application Submission:** The vehicle owner or their representative submits an application for registration to the nearest BRTA office. The application form includes details such as the vehicle owner's name, address, contact information, vehicle specifications, engine and chassis numbers, and other relevant particulars.

- **Document Verification:** BRTA verifies the submitted documents, which typically include the vehicle's purchase invoice, proof of ownership (such as a sales receipt or transfer deed), national identity card (NID) or passport of the owner, tax clearance certificate, and insurance documents.
- **Physical Inspection:** After document verification, a physical inspection of the vehicle is conducted by BRTA officials to ensure compliance with safety and technical standards. This inspection verifies the vehicle's condition, chassis and engine numbers, emission levels, and other specifications.
- **Payment of Fees:** The vehicle owner pays the required registration fees, which vary based on factors such as the vehicle type, engine capacity, and region.
- **Issuance of Registration Certificate:** Upon successful completion of the above steps, BRTA issues a registration certificate (RC) for the vehicle. The RC includes details such as the vehicle registration number, owner's name, vehicle specifications, and validity period.
- **Number Plate Issuance:** BRTA also provides a registration number plate for the vehicle, which must be affixed to the front and rear of the vehicle as per regulations.
- **Renewal and Updates:** Vehicle registration is typically valid for a specific period, after which it must be renewed. BRTA also facilitates updates to registration details in case of changes such as ownership transfer, address change, or vehicle modifications.

It's important for vehicle owners to ensure that all necessary documents are provided accurately and that the vehicle complies with safety and technical standards to facilitate a smooth registration process with BRTA.