

The Police Act, 1861

23. This section outlines the duties and authority of a police officer. Here's a breakdown:

1. **Obligation to Obey Orders:** Police officers must promptly follow and execute any lawful orders or warrants given to them by a competent authority. This means they are expected to act without delay in response to such commands.
2. **Intelligence Gathering:** They are required to collect and share information that could impact public peace. This involves staying informed about potential threats or disturbances and communicating this information to relevant authorities.
3. **Crime Prevention:** Police officers have a duty to prevent crimes and public nuisances. This includes taking action to stop offenses before they occur and maintaining public order.
4. **Law Enforcement:** They must work to detect and apprehend offenders and bring them to justice. This involves investigating crimes, gathering evidence, and ensuring that those who break the law face legal consequences.
5. **Apprehending Suspects:** Police officers are authorized to apprehend individuals if they have legal grounds to do so. This includes arresting people who are suspected of committing crimes or those for whom there are sufficient reasons for arrest.
6. **Authority to Enter Without a Warrant:** For the purposes mentioned above, police officers have the authority to enter and inspect places like drinking-shops, gambling houses, or other locations associated with **loose and disorderly behavior**, even without a warrant. This means they can take immediate action in certain situations to prevent crimes or disturbances without waiting for judicial permission.

29. This section outlines the consequences and penalties for police officers who commit certain offenses or neglect their duties. Here's a breakdown of the offenses and their corresponding punishments:

1. **Violation of Duty:** If a police officer fails to perform their duties or willfully breaks or neglects any rule, regulation, or lawful order given by a competent authority, they are in violation of this section.
2. **Unauthorized Withdrawal from Duty:** If a police officer leaves their duties without permission or without giving a prior notice of at least two months, they are in breach of this law.
3. **Failure to Return After Leave:** If a police officer, after taking leave, does not report back for duty at the end of their leave period without a reasonable cause, they are also in violation.
4. **Engaging in Unauthorized Employment:** If a police officer engages in any employment other than their police duties without authorization, this is considered a breach of duty.
5. **Cowardice:** If a police officer shows cowardice while on duty, it is considered a serious offense under this law.

6. **Unwarranted Violence:** If a police officer uses excessive or unwarranted personal violence against any person in their custody, they are guilty of misconduct.

Penalties before a Magistrate:

- **Monetary Fine:** The officer may be fined up to three months' pay.
- **Imprisonment:** The officer may be sentenced to imprisonment, with or without hard labor, for up to three months.
- **Both Fine and Imprisonment:** In some cases, the officer may be subjected to both the monetary fine and imprisonment.

Anti-terrorism Act, 2009

Under the **Anti-Terrorism Act of Bangladesh, 2009**, terrorist activities are defined in **Section 6(1)**. They include acts committed with the intent to threaten the unity, integration, public security, or sovereignty of Bangladesh. These activities involve:

1. **Violence and Harm:** Killing, causing grievous injury, kidnapping, or damaging property.
2. **Abetting and Instigating:** Encouraging others to commit violent acts or damage property.
3. **Possession of Dangerous Substances:** Using or possessing explosives or arms.
4. **International Terrorism:** Acts intended to disrupt the security of foreign states.
5. **Use of Terrorist Property:** Using or possessing property for terrorist purposes.

The Anti-Terrorism Act of Bangladesh, 2009, defines terrorist activities under various sections:

1. **Section 6:** Engaging in or supporting acts that threaten the unity, integrity, security, or sovereignty of Bangladesh.
2. **Section 10:** Financing of terrorist activities, including providing or collecting funds with the intention that they be used to carry out terrorist acts.
3. **Section 11:** Recruiting or training individuals for terrorist purposes.
4. **Section 12:** Harboring or providing safe haven to terrorists.
5. **Section 13:** Possession or use of explosives or other dangerous materials to commit terrorism.

Under the **Anti-Terrorism Act of Bangladesh, 2009**, several activities are defined as terrorist acts. These include:

1. **Threatening National Unity or Public Security:** Any act intended to threaten the unity, integration, public security, or sovereignty of Bangladesh by creating panic among the

public to compel the government, an entity, or a person to take or refrain from certain actions. This includes killing, causing grievous hurt, kidnapping, or damaging property.

2. **Abetting Terrorist Activities:** Encouraging or instigating others to commit murder, cause serious injury, kidnap, or damage property, as well as possessing or using explosive or inflammable substances or arms for terrorist purposes.
3. **International and Cross-Border Terrorism:** Engaging in or attempting to disrupt the security of another state, or causing damage to the property of a foreign state, falls under terrorist activities.
4. **Possession and Use of Terrorist Property:** Knowingly possessing or using property for the purpose of terrorism is considered a terrorist act.
5. **Crimes against Civilians:** Committing acts that cause death or serious injury to civilians not involved in hostilities, especially when aimed at intimidating the population or compelling a government or organization to take specific actions.

The definition of a "prejudicial act" includes:

1. **Threat to Sovereignty or Defense:** Acts that harm the sovereignty or defense of Bangladesh.
2. **Harming Foreign Relations:** Actions that negatively impact Bangladesh's relations with other countries.
3. **Security and Public Safety:** Acts that endanger national security or public safety.
4. **Inciting Hatred:** Creating enmity between communities, classes, or sections of people.
5. **Disrupting Law and Order:** Encouraging actions that interfere with law enforcement.
6. **Disrupting Essential Services:** Affecting the supply of essential services to the community.
7. **Causing Public Fear:** Actions that instill fear or alarm in the public.
8. **Economic Harm:** Acts that threaten the economic or financial interests of the state.

Explanation of the Section on Sabotage:

(1) Acts of Sabotage: It is illegal to intentionally damage or hinder the operation of:

- Government or public property (e.g., buildings, vehicles, machinery).
- Transportation and communication infrastructure (e.g., railways, roads, ports, airports, telecommunication lines).
- Rolling stock, vessels, or aircraft.
- Properties related to essential commodities, factories, or protected areas.
- Jute-related properties and industries.

(2) Omissions: Not fulfilling duties related to these areas is also considered sabotage.

(3) Punishment: Violations can result in death, life imprisonment, or rigorous imprisonment up to 14 years, and a fine.

Section 24 of the Special Powers Act, 1974:

1. Authority to Impose Restrictions:

- The District Magistrate or Police Commissioner in a Metropolitan Area can issue orders restricting people from being outdoors during specified hours in designated areas.

2. Conditions for Exemption:

- The order may specify exemptions and require a written permit from an authorized person for individuals to be outdoors during restricted hours.

3. Penalties for Violation:

- Violating this order can result in imprisonment for up to one year, a fine, or both.

Section 25B of the Special Powers Act, 1974:

1. Illegal Export and Import:

- Any person who, in violation of existing laws, smuggles goods like jute, gold, silver, currency, food, drugs, or any other prohibited items out of or into Bangladesh, or evades customs duties or taxes, can face severe penalties.
- Penalties include death, life imprisonment, or rigorous imprisonment ranging from 2 to 14 years, along with fines.

2. Possession of Prohibited Goods:

- Selling, offering for sale, or possessing goods whose import is prohibited can result in imprisonment from 1 to 7 years and fines.
- If such goods are found on non-residential premises, it is presumed they are intended for sale, and the burden of proof lies on the owner or occupier to prove otherwise.

Section 25C of the Special Powers Act, 1974:

1. Adulteration of Food and Drink:

- Anyone who adulterates food or drink, making it harmful and intending to sell it, or who sells such harmful items, is liable for severe punishment.

2. Adulteration of Drugs:

- Adulterating drugs or medical preparations to reduce their effectiveness or make them harmful, or selling such adulterated drugs knowingly, carries severe penalties.
3. **Adulteration of Cosmetics:**
- Adulterating cosmetics like hair oil or soap, making them harmful, or selling them with knowledge of the harm, can lead to rigorous imprisonment up to five years and a fine.

Penalties:

- Punishment includes death, life imprisonment, or up to 14 years in prison, and fines for food, drink, or drug-related offenses, and up to five years for cosmetic-related offenses.

Anti-Corruption Commission Act in Bangladesh, detailing the establishment, structure, and processes of the Anti-Corruption Commission (ACC). Here's a summary:

3. Establishment of the Anti-Corruption Commission

- **Formation:** The government is required to establish the Anti-Corruption Commission via a notification in the official Gazette.
- **Independence:** The Commission is independent and impartial.
- **Autonomy:** It has perpetual succession and a common seal, with the power to acquire, hold, and dispose of both movable and immovable property, and can sue or be sued in its own name.

4. Office Location

- The Commission's head office is in Dhaka, with the provision to establish branch offices as needed across the country.

5. Constitution of the Commission

- The Commission is comprised of **three Commissioners**, one of whom is appointed as the Chairman by the President.
- Any vacancy or defect in the composition of the Commission will not invalidate its actions or proceedings.

6. Appointment and Tenure of Commissioners

- **Selection:** Commissioners are appointed by the President based on recommendations from a Selection Committee (explained in Section 7).

- **Term:** Commissioners hold office for **five years** from the date of joining and are not eligible for re-appointment after completing their term.

7. Selection Committee

- The Selection Committee consists of five members:
 1. A Judge of the Appellate Division of the Supreme Court (Chairman), nominated by the Chief Justice.
 2. A Judge of the High Court Division, nominated by the Chief Justice.
 3. The Comptroller and Auditor-General of Bangladesh.
 4. The Chairman of the Public Service Commission.
 5. The last retired Cabinet Secretary or, if unavailable, the next before retired Cabinet Secretary, or if none are available, the current Cabinet Secretary.
- **Quorum:** At least four members are required for the Committee to function, and it prepares a list of two candidates for each vacant Commissioner position, which is then sent to the President.

21. Power of Arrest

- **Authority:** An officer of the ACC, if duly authorized, has the power to arrest a person.
- **Conditions for Arrest:** The officer must have **reasonable grounds** to believe that the person has acquired or possesses, either in their own name or in someone else's name, movable or immovable property that is **disproportionate** to their declared sources of income.
- **Court Approval:** The arrest can only be made with the **approval of the court**.

নারী ও শিশু নির্যাতন দমন আইন, ২০০০ থেকে উদ্ধৃত। এই আইনের ৯ ধারা ধর্ষণ এবং এর সাথে সংশ্লিষ্ট অপরাধের জন্য শাস্তির বিধান ব্যাখ্যা করে। নিচে এর সারসংক্ষেপ প্রদান করা হলো:

৯. ধর্ষণ এবং এর শাস্তি

1. ধারা ৯(১):
 - যদি কোনো পুরুষ কোনো নারী বা শিশুকে ধর্ষণ করেন, তাহলে তিনি মৃত্যুদণ্ডে বা যাবজ্জীবন সশ্রম কারাদণ্ডে দণ্ডনীয় হবেন এবং অতিরিক্ত অর্থদণ্ডেও দণ্ডনীয় হবেন।
 - ব্যাখ্যা: যদি কোনো পুরুষ বিবাহ ব্যতীত যোল বছরের কম বয়সী কোনো নারীর সাথে সম্মতি সহ বা সম্মতি ব্যতিরেকে যৌন সঙ্গম করেন, তাহলে সেটি ধর্ষণ বলে গণ্য হবে।
2. ধারা ৯(২):
 - ধর্ষণ বা ধর্ষণের পরবর্তী অন্যান্য কার্যকলাপে নারী বা শিশুর মৃত্যু ঘটলে অপরাধী মৃত্যুদণ্ডে বা যাবজ্জীবন সশ্রম কারাদণ্ডে দণ্ডনীয় হবেন এবং অন্ততপক্ষে এক লক্ষ টাকা অর্থদণ্ডেও দণ্ডনীয় হবেন।
3. ধারা ৯(৩):

- যদি একাধিক ব্যক্তি দলবদ্ধভাবে ধর্ষণ করেন এবং ধর্ষণের ফলে নারী বা শিশুর মৃত্যু ঘটে বা তিনি আহত হন, তাহলে সেই দলের প্রত্যেক সদস্যকে মৃত্যুদণ্ডে বা যাবজ্জীবন সশ্রম কারাদণ্ডে দণ্ডনীয় করা হবে এবং তাদেরকে এক লক্ষ টাকা অর্থদণ্ড দিতে হবে।

4. ধারা ৯(৪):

- (ক) যদি কেউ ধর্ষণের পর হত্যা বা আঘাত করার চেষ্টা করেন, তাহলে সেই ব্যক্তিকে মৃত্যুদণ্ডে বা যাবজ্জীবন সশ্রম কারাদণ্ডে দণ্ডনীয় করা হবে এবং অর্থদণ্ডও আরোপিত হবে।
- (খ) যদি কেউ ধর্ষণের চেষ্টা করেন, তাহলে তাকে অনূন পাঁচ বছর এবং অনধিক দশ বছর সশ্রম কারাদণ্ডে দণ্ডনীয় করা হবে এবং অর্থদণ্ড আরোপিত হবে।

5. ধারা ৯(৫):

- যদি পুলিশ হেফাজতে কোনো নারী ধর্ষণের শিকার হন, তাহলে যিনি বা যাঁরা সেই নারীর হেফাজতের জন্য দায়িত্বপ্রাপ্ত ছিলেন, তারা অনূন পাঁচ বছর এবং অনধিক দশ বছর সশ্রম কারাদণ্ডে দণ্ডনীয় হবেন এবং অন্ততপক্ষে দশ হাজার টাকা অর্থদণ্ড দিতে হবে, যদি ভিন্নভাবে প্রমাণিত না হয়।