**Historical Development of Bangladesh’s Judicial System**

The legal system of Bangladesh has evolved over centuries, shaped by diverse historical periods and influences. As part of the Indian subcontinent, Bangladesh's legal journey reflects a blend of indigenous traditions and foreign interventions. The current judicial framework is a product of five significant phases: the Hindu, Muslim, British, Pakistani, and Bangladeshi periods, each leaving distinct imprints on the legal landscape.

**Hindu Period (1500 BC - 1206 AD)**

During the Hindu period, the judiciary was intertwined with the monarchy. Legal guidance was based on texts such as *Arthasastra* and *Manusmriti*, along with *Shrutis*, *Smritis*, *Puranas*, and *Dharmashastra*. The legal system was deeply entrenched in caste distinctions, with judges predominantly from privileged classes. Despite claims of impartiality, the caste system undermined the judiciary's integrity, allowing royal interference and resulting in unequal justice.

**Muslim Period (1100 AD)**

The arrival of the Muslim period introduced new legal paradigms under the Sultanate and Mughal rule. Islamic law governed judicial proceedings, supported by a sophisticated court structure comprising Muftis, Pandits, and Qazis. Although trials by ordeal were abolished, disparities continued, with differential treatment based on religion and gender. Works like *Fatwa-I-Alamgiri* and *Fiqh-e-Firoz Shahi* enriched the formalization of judicial proceedings.

**British Period (1757 - 1947)**

The British period began after the Battle of Plassey in 1757, marking a significant transformation in the legal framework. King George I established the Mayor’s Court in 1726, introducing the right of appeal to the Privy Council. English common law supplanted indigenous systems, facilitated by the establishment of courts and enactment of statutes. Landmark reforms included the Regulation Act of 1773, which established the Supreme Court in Calcutta, and the Indian High Courts Act of 1861, which replaced parallel court systems with High Courts. The British Raj's legal reforms led to key legal codes like the Penal Code of 1860 and the Evidence Act of 1872, blending English legal principles with indigenous customs.

**Pakistani Period (1947 - 1971)**

The partition of India under the Indian Independence Act of 1947 led to the Pakistan period, during which Bangladesh was known as East Pakistan. The legal system underwent modifications to align with the new state's ethos, culminating in the establishment of a High Court in Dhaka in 1948. The Privy Council (Abolition of Jurisdiction) Act of 1950 eliminated the Federal Court of Pakistan's appeal system and elevated it to the status of the Supreme Court of Pakistan. The legal landscape further evolved with a new constitution in 1962.

**Bangladeshi Period (Post-1971)**

Bangladesh's independence in 1971 marked a new era in its legal evolution. The Laws Continuance Enforcement Order of 1971 ensured the continuation of pre-existing laws. The 1972 Constitution established provisions for an independent judiciary, consisting of the Supreme Court and subordinate courts. The Supreme Court includes the Appellate Division and the High Court Division, while subordinate courts are categorized into civil and criminal courts.

**Landmark Judicial Developments**

**Anwar Hossain Chowdhury v Bangladesh**: The Supreme Court rejected the decentralization of the Higher Court in 1989, asserting that it was inconsistent with the Constitution.

**Martial Law Regimes**: The Supreme Court declared martial law regimes unconstitutional despite constitutional amendments validating them.

**Separation of Judiciary and Executive**: Although proposed by Lord Cornwallis in 1793, true separation was established through a Supreme Court judgment in 2007, leading to the formation of a distinct Bangladesh Judicial Service.