

The Bangladesh Law Times

Reports of Cases International Crimes Tribunal-1 Volume XXXIII 2025

2025 (XXXIII) BLT (ICT) 01
International Crimes Tribunal-1
Dhaka, Bangladesh.

Present:

Justice Md. Golam Mortuza Mozumder,
Chairman
Justice Md. Shofiul Alam Mahmood,
Member
Judge Md. Mohitul Hoque Anam Chawdhury,
Member

Amicus Curiae : Mr. A. Y. Masihuzzantaa,
the learned senior
Advocate, Supreme Court
of Bangladesh.

For the : Mr. Advocate Md. Amir
Defence Hossain, State Defence
Counsel for 02 (two)
absconding accuseds.

Date of Judgment : 02nd July, 2025

ICT-BD Miscellaneous Proceeding
No. 02 of 2025
Order No. 06

The Chief Prosecutor

-Versus-

Sheikh Hasina and Shakil Akand Bulbul
@ Md. Shakil Alam.

For the : Mr. Muhammad Tajul
prosecution islam, Chief Prosecutor
with Mr. Md. Abdus
Sobhan Tarafder,
Prosecutor with Mr. Md.
Mizanul Islam, Prosecutor
with Mr. Gazi Monawar
Hossain, Prosecutor with
Mr. Mamunur Rashid,
Prosecutor with Mr.
Shaikh Mahdi, Prosecutor
with Mr. Tanvir Hasan
Joha, Prosecutor.

International Crimes (Tribunal)
Act, 1973

Section-11(4) read with
Rules of Procedure, 2010
Rule—45

Learned Chief Prosecutor alleging inter alia that accused Sheikh Hasina of the ICT BD Case No. 02 of 2025, ICT BD Misc. Case No. 02 of 2025, ICT BD Misc. Case No. 15 of 2025 held an audio and video conversation with her party activist Shakil Akand Bulbul @ Md. Shakil Alam on 28.10.2024 which, tended to obstruct and prejudice the process of the cases pendent against her which constituted the offence of contempt of this Tribunal — whether the impugned conversation is authentic and whether by the conversation the contemnors-accuseds tended to obstruct and prejudice the case of any party to a case/cases pendent before this Tribunal.

Held; Since accused Sheikh Hasina is the former prime minister of Bangladesh and the President of Bangladesh Awami League, her aforesaid inciting words to burn the houses of the opponents, her determination to kill two hundred and twenty seven persons and her direct threat to the officers, (understandably those who have been dealing with her allegations and cases viz law enforcers, investigators, prosecutors and concerned employees and officers of the Tribunal with severe consequences are manifestly obstructive and prejudicial to the legal matters against her bearing impact on the Administration of Justice of this Tribunal and thereupon constituted the offence of contempt of this Tribunal within the ambit of section 11(4) of the Act. [Para-24]

Section-11(4) read with

Principle of Punishment

Held; The maximum punishment as prescribed therein is imprisonment for one year. But we do hold that imposition of sentence of simple imprisonment for six months upon contemnor-accused Sheikh Hasina would suffice to meet the ends of justice. The other accused being a root level activist of Sheikh Hasina deserves to be awarded a lesser sentence and it is held that ends of justice would be appositely met by imposition of sentence of simple imprisonment for two months upon him. [Para-26]

ORDER

Justice Md. Golam Mortuza Mozumder, Chairman:- Today is fixed for hearing the Chief Prosecutor, the

state defence counsel and the Amicus Curiae and also for pronouncement of Judgment and order.

2. Accordingly we have heard at length from the learned Chief Prosecutor, the learned state defence counsel and the learned Amicus Curiae.

3. The instant proceeding emanates from the lodgment of an application on 30.04.2025 under section 11(4) of the International Crimes (Tribunals) Act, 1973 as well as Rule 45 of the International Crimes Tribunal-1, Rules of Procedure-2010 by the learned Chief Prosecutor alleging interalia that accused Sheikh Hasina of the ICT BD Case No. 02 of 2025, ICT BD Misc. Case No. 02 of 2025, ICT BD Misc. Case No. 15 of 2025 held an audio and video conversation with her party activist Shakil Akand Bulbul @ Md. Shakil Alam on 28.10.2024 which, tended to obstruct and prejudice the process of the cases pendent against her which constituted the offence of contempt of this Tribunal. In the application the learned Chief Prosecutor besought imposition of maximum punishment upon contemnor-accused Sheikh Hasina and Shakil Akand Bulbul @ Md. Shakil Alam as prescribed in the aforesaid section 11(4).

4. On cognizing the allegations labelled against the contemnor-accuseds notices were issued towards them asking them to appear in the Tribunal in person for answering the allegations brought against

them and the notices have been served according to law but they did not turn up.

5. Since the contemnor-accuseds, inspite of due service of notices, did not turn up the Tribunal issued notices afresh towards them with direction to publish the same in two daily newspapers asking them to appear in the Tribunal on 03.06.2025 but still they did not appear in the Tribunal.

6. Since the contemnor-accuseds remained in absconsion even after publication of notices in the national dailies, a state defence counsel named Advocate Mr. Md. Amir Hossain has been appointed on 25.06.2025 to defend them. Moreover, on the same day Mr. A. Y. Masihuzzaman, learned Senior Advocate of the Supreme Court of Bangladesh has been appointed Amicus Curiae to assist the Tribunal in the matter.

7. The learned Chief Prosecutor filed the incidental documents inclusive of a soft copy containing the impugned conversation of the contemnor-accuseds. It has been mentioned in the application that the impugned conversation has been examined by the experts of the Criminal Investigation Department (CID) who found that the conversation is authentic and that the same has not been artificially made by AI or otherwise. The prosecution also filed a field investigation report held to judge the origin and authenticity of the impugned conversation.

8. The application under section 11(4) read with Rule 45 is marked Exhibit-1, the reports of experts of CID is marked Exhibit-2 and the field investigation report is marked as Exhibit-3 and the soft copy containing the discourse in question is marked as material Exhibit-4.

9. In the proceeding the Tribunal has to see whether the impugned conversation is authentic and whether by the conversation the contemnor-accuseds tended to obstruct and prejudice the case of any party to a case/cases pendent before this Tribunal.

10. The learned Chief Prosecutor, the learned state defence counsel and the learned Amicus Curiae made their respective submissions.

11. We have gone through the application under section 11(4) of the International Crimes Tribunal Act, 1973 and examined the documents submitted in connection with the allegations and also have given due consideration to the submissions of the learned Chief Prosecutor, the learned state defence counsel and the learned Amicus Curiae.

12. In the application the prosecution quoted the impugned conversation which runs as follows:

"শেখ হাসিনা- একটা কথা আমি বলি তোমাদের কার বাড়ি পোড়াইসে কে?

বুলবুল- ওই ওরাই নেত্রী, সবাই, জামাত-বিএনপি সকলেই।

শেখ হাসিনা-তাদের ঘর বাড়ি নাই?

বুলবুল- আছে নেত্রী।

শেখ হাসিনা-তাদের ঘর বাড়ি নাই।

বুলবুল-জি, আছে।

শেখ হাসিনা-তাহলে, সব কিছু কি প্রকাশ্যে করতে হয়?

বুলবুল- জি না, না নেত্রী, জি।

শেখ হাসিনা- আমাদের ঘর বাড়ি নাই তাদেরও ঘর বাড়ি থাকবে না।

২) শেখ হাসিনা-আর মামলা, তোমার তো গোবিন্দগঞ্জ কেন আমার তো সারা বাংলাদেশে ২২৭টা মার্ভার কেস।

বুলবুল-জি নেত্রী, জি।

শেখ হাসিনা-আমি বলছি সবাই তালিকা কর, তোমরাও তালিকা করা ধরো অন্তত ২২৭ জনকে মারার লাইসেন্স পেয়ে গেছি।

বুলবুল-জি নেত্রী।

শেখ হাসিনা- আর এক মামলার যে শাস্তি আর সোয়া ২০০ মামলায় সেই শাস্তি, তাই না?

বুলবুল-জি নেত্রী।

শেখ হাসিনা- তো ঠিক আছে সেই শাস্তি নিব কিন্তু তার আগে সোয়া ২০০ হিসাব করে নেবা।

বুলবুল-জি নেত্রী।

শেখ হাসিনা- এটা যেন মাথায় থাকে।

বুলবুল-জি নেত্রী, ইনশাআল্লাহ, ইনশাআল্লাহ।

শেখ হাসিনা-এবার ইনশাআল্লাহ আসতে পারলে এবার আর ডেভেলপমেন্ট না, এবার করবো সংস্কার।

বুলবুল- জি, নেত্রী, রাইট।

শেখ হাসিনা-এই সমস্ত সমাজের আবর্জনা এগুলি সব শিকড় শুদ্ধ তুলে ফেলে সংস্কার করবো।

বুলবুল- ইনশাআল্লাহ, ইনশাআল্লাহ নেত্রী। মাননীয় নেত্রী আপনি ভালো থাকবেন আর সবার ফোনে সব কিছু বলার দরকার নেই নেত্রী।

শেখ হাসিনা- বলি, আমি বুঝে শুনেই বলি কথা যেন পৌঁছায়।

৩) শেখ হাসিনা-ওইসব তালিকা কর আর অফিসারদের বলো আমরা তালিকা পাঠাচ্ছি নেত্রীর কাছে উনি চাইছেন, ডবিষ্যতে কাজে লাগবে।

বুলবুল- জি নেত্রী, জি আসসালামু আলাইকুম।

শেখ হাসিনা-চাকরি সামনেও করতে হবে, এটা ভুলে যায় না যেন। এক মাঘে শীত যায় না।

ঠিক আছে।"

13. The audio/video recording of the impugned conversation of the contemnor-accused has been played in the Court room during hearing of the proceeding.

14. Legal Provision in the context is laid down in Section 11(4) of the International Crimes Tribunals Act 1973 and Rule 45 of the International Crimes Tribunal-1, Rules of Procedure- 2010. Section 11(4) of the Act lays down as

"A Tribunal may punish any person, who obstructs or abuses its process or disobeys any of its orders or directions, or does anything which tends to prejudice the case of party before it, or tends to bring it or any of its members into hatred or contempt, or does anything which constitutes contempt of the Tribunal, with simple imprisonment which may extend to one year, or with fine which may extend to taka five thousand, or with both."

Keeping pace with section 11(4) following Rule 45 has been formulated:

"In pursuance of section 11(4) of the Act, the Tribunal may draw a proceeding against any person who obstructs or abuses the process of the Tribunal, or disobeys any order or direction of the Tribunal, or who does anything which tends to prejudice the case of a party before the Tribunal, or tends to bring the Tribunal or any of its Members into hatred or contempt, or does anything which constitutes contempt of the Tribunal."

15. The learned Chief Prosecutor submitted that in the conversation accused Sheikh Hasina said that she got license to kill 227 (two hundred and twenty seven) persons and that she instigated and directed the other contemnor-accused i.e. her party activist Shakil Akand Bulbul @ Md. Shakil Alam to burn the houses of the activists of Rival political parties namely Jamat-BNP. The learned Chief Prosecutor also submitted that in the conversation accused Sheikh Hasina threatened the concerned officers with dire consequences. He further submitted that the said words of Sheikh Hasina are obstructive and prejudicial to the cases against herself and her accomplices since by her aforesaid incriminating words the victims and witnesses of her cases and concerned employees of the Tribunal and law enforcing agencies and all others concerned in the legal process of those cases have been subjected to be frightened as the aftermath of which the trial of the concerned cases is likely to be

obstructed and prejudiced. He said that the other accused, being an activist of accused Sheikh Hasina's party, conceded to the aforementioned obstructive and prejudicial words of Sheikh Hasina and also assured her of compliance of what she intended, planned, directed and incited to have done. He maintained that the conversation has been examined by the experts of the Criminal Investigation Department (CID) and that the Specialist Prosecutor Mr. Tanvir Hasan Zoha also held a field investigation to Judge the origin and genuineness of the conversation and in both the investigations it has been substantiated that the impugned conversation is genuine and not produced by Artificial Intelligence (AI)

16. The learned Chief Prosecutor vehemently submits that by the impugned conversation the contemnor-accuseds committed the offence of contempt of the Tribunal and hence liable to be inflicted with the maximum punishment as prescribed in section 11(4) of the International Crimes Tribunals Act, 1973.

17. On completion of submissions of the learned Chief Prosecutor the learned prosecutor Mr. Tanvir Hassan Zoha came to the Dias and submitted that in addition to the examination of the authenticity of the conversation in question by the Criminal Investigation Department (CID) he also had conducted a field investigation in order to find the origin and genuineness of the

conversation. He narrated the modus operandi of his investigation and asserted that he succeeded to find how the conversation originated and disseminated.

The reports of the foregoing examinations are demonstrated hereafter.

18. The learned state defence counsel Mr. Md. Amir Hossain submitted that the conversation in question has not been proved and established whereupon the contemnor-accuseds do not deserve any punishment for that. But Mr. Hossain did not assign any cogent reasons as to why the conversation in question is not obstructive and prejudicial to the cases of accused Sheikh Hasina and her accomplices and why the said incriminating words of Sheikh Hasina and the reciprocating words of co-accused Shakil Akand Bulbul @ Md. Shakil Alam assuring Sheikh Hasina of compliance/execution of what she incited and hinted to have done ought not be dubbed contemptuous as contemplated in section 11(4) of the Act.

19. The learned Amicus Curiae Mr. A. Y. Masihuzzaman incepted his submissions saying that the contemnor-accused being in abscondence do not deserve to be represented by state defence counsel. He opined that any act or speech of any person either written or verbal does constitute contempt of court/Tribunal, if the same affects or impedes the administration of justice in any manner. The learned Amicus Curiae referred the provision laid down in

section 2 sub section (3) of the law of contempt of court, attachment and committal, from volume 8 of "The laws of England" which runs as:-

"Contempt by speech or writing may be by scandalizing the court itself or by abusing parties to actions or by prejudicing mankind in favour of or against a party before the cause is heard, because, in the later instances, injurious misrepresentations concerning parties may cause them to discontinue the action or to compromise or may deter other persons with good causes of action from coming to the court."

He also made reference of a decision of Patna High Court of India in the case of State of Bihar Vs. Sonabati Kumari (J. Ahmed) which goes as:-

"Contempt of Court is either (1) criminal contempt consisting of words or acts obstructing, or tending to obstruct the administration of justice, or (2) contempt in procedure, consisting of disobedience to the judgments, orders, or other process of the Court, and involving a private injury. Criminal contempt is punishable by fine or imprisonment and the superior Courts have an inherent jurisdiction to punish criminal contempt by the summary process of attachment or committal."

The learned Amicus Curiae submits that in view of the preceding law of contempt

of United Kingdom and the referred decision of Patna High Court of India any act or word either verbal or written obstructing or prejudicing the administration of Justice is an offence of contempt of court/Tribunal. In short the view of the learned Amicus Curiae is that, if the alleged Acts do affect the administration of Justice then the same do constitute offence of contempt of Court/Tribunal. It is apparent that the aforesaid incriminating words of the impugned conversation, as elucidated hereinbefore, are obstructive and prejudicial to the administration of justice of this Tribunal since these words are likely to terrify the victims, witnesses and all others concerned in the legal process of the cases against accused Sheikh Hasina, the former long standing Prime Minister as well as the President of one of the largest political party as a result of which the legal process against her may be subjected to discontinuation or Non-cooperation and so on.

20. The conversation in question has been played in the court room in presence of all of us in which we find that contemnor-accused Sheikh Hasina firmly expressed her determination to the co-contemnor accused Shakil Akand Bulbul @ Md. Shakil Alam to kill 227 (two hundred and twenty seven) persons and for the purpose of killing 227 persons she asked Shakil Akand Bulbul @ Md. Shakil Alam to prepare a list of 227 persons by saying:-

"আমার তো সারা বাংলাদেশে ২২৭ টা মার্ডার কেস। তোমরাও তালিকা করা ধরো অন্তত ২২৭ জনকে মারার

লাইসেন্স পেয়ে গেছি। আর এক মামলার যে শাস্তি আর সোয়া ২০০ মামলায় সেই শাস্তি, তাই না? তো ঠিক আছে সেই শাস্তি নিব কিন্তু তার আগে সোয়া ২০০ হিসাব করে নেবা এটা যেন মাথায় থাকে।"

She also instigated contemnor-accused Shakil Akand Bulbul @ Md. Shakil Alam to burn the houses of rival party activists saying

"একটা কথা আমি বলি তোমাদের কার বাড়ি পোড়াইসে কে? (বুলবুল- ওই ওরাই নেত্রী, সবাই, জামাত-বিএনপি সকলেই) তাদের ঘর বাড়ি নাই? (বুলবুল- আছে নেত্রী) তাদের ঘর বাড়ি নাই (বুলবুল- জি, আছে) তাহলে, সব কিছু কি প্রকাশ্যে করতে হয়? (কুবল জি না, না নেত্রী, জি) আমাদের ঘর বাড়ি নাই তাদেরও ঘর বাড়ি থাকবে না।"

It further appears that accused Sheikh Hasina threatened the officers without specifying who they are, presumably those who are dealing with her cases (Vizi Prosecutors, Investigators, Court staff and law enforcing personnel etc.), with dire consequences by her following words-

"ওইসব তালিকা কর আর অফিসারদের বলো আমরা তালিকা পাঠাচ্ছি নেত্রীর কাছে। উনি চাইছেন, ভবিষ্যতে কাজে লাগবে বুলবুল- জি নেত্রী, জি আসসালামু আলাইকুমা চাকরি সামনেও করতে হবে, এটা ভুলে যায় না যেন। এক মাঘে শীত যায় না ঠিক আছে।"

21. It transpires that the impugned conversation was examined in the Forensic Laboratory by the experts of Criminal Investigation Department and that on such examination they found authenticity of the conversation (id est it was really a conversation between accused Sheikh Hasina and accused

Shakil Akand Bulbul @ Md. Shakil Alam.) The experts also opined that the conversation was not produced by Artificial Intelligence (AI). The report of the experts is extracted below :-

"৪। পরীক্ষা কার্যক্রমঃ

৪.১। আলামত ADATA 64GB পেন ড্রাইভয়ার SL. No-1223051442 এর ধারণকৃত তথ্য অত্র ল্যাবে ব্যবহৃত Forensic Tools "Tableau Forensic USB 3.0 Bridge Write-Blocker" এর সাহায্যে "Access Data FTK Imager 3.3.0.5" software এর মাধ্যমে image করা হয় যার hash value MD5: ac4988f727ee3a13b7824a49e1768e92 পাওয়া যায়। উক্ত পেনড্রাইভের Image কপি বিশ্লেষণে আবেদনে উল্লেখিত ০১ নং ক্রমিকে বর্ণিত "আ.লীগ নেতার সঙ্গে শেখ হাসিনার নতুন ফোনলাপ ফীস Sheikh Hasina Call Record Kalbela.mp4" নামীয় ভিডিও ফাইল যার hash value MD5 ও SHAI যথাক্রমে MD5:d1772e74410c74da2d320871f3396e96 SHAI: 95ff1678a5d6893db882c6d80899fe5ee7f7fec9, পাওয়া যায়। ০২ নং ক্রমিকে বর্ণিত "PM LIVE-25.06.24.avi" নামীয় ভিডিও ফাইল যার hash value MD5 SHAI যথাক্রমে MD5: 040e2cb28e01bd3da0fd023807727edb SHAI: 00260b7ddfb4a37366beal8fc945a263b280d9d2 পাওয়া যায়। ০৩ নং ক্রমিকে বর্ণিত "প্রভাষক শাকিল আকন্দ #বুলবুলা চেয়ারম্যান সাপমারা ইউনিয়ন 11.mp4" নামীয় ভিডিও ফাইল যার hash value MD5 SHAI যথাক্রমে MD5:84126882e2da5688c22dfca779601a ab SHAI:

ex435c632 73181de0b5f2d10f19da995e30c8103 পাওয়া যায়। উক্ত Image "Encase V8.09" Forensic Software এর মাধ্যমে Processing Analysis করা হয় (সংযুক্তি-৬.১)।

৪.২। আলামত ADATA 64GB পেন ড্রাইভটিতে সংরক্ষিত ভিডিও ক্লিপগুলোর File Extension Audio Forensic Tool এর সাহায্যে "wav" Format এ Convert করা হয় Segmentation Tools এর সাহায্যে অডিও ক্লিপগুলো Segment করা হয়। পরীক্ষার স্বার্থে আলামত ADATA 64GB পেন ড্রাইভ, SL No-1223051442 এ সংরক্ষিত এবং আবেদনপত্রে উল্লেখিত ০১ নং ক্রমিকে বর্ণিত "আ.লীগ নেতার সঙ্গে শেখ হাসিনার নতুন ফোনলাপ ফীস Sheikh Hasina Call Record Kalbela.mp4" নামীয় ফাইলে বিদ্যমান নারী কণ্ঠের বিতর্কিত Segment কৃত ফাইলটি "EX PM Contro_SNR" নামে এবং পুরুষ কণ্ঠের বিতর্কিত ১segment কৃত ফাইলটি "Shakil Contro_SNR" নামে Rename করা হয়। ০২ নং ক্রমিকে বর্ণিত "PM LIVE-25.06.24.avi" নামীয় প্রামাণ্য Segment কৃত ফাইলটি "PM LIVE-25.06.24 Pramanno_SNR" নামে Rename করা হয়। ০৩ ক্রমিকে বর্ণিত "প্রভাষক শাকিল আকন্দ বুলবুলা চেয়ারম্যান সাপমারা ইউনিয়ন II.mp4" নামীয় প্রামাণ্য Segment কৃত ফাইলটি "Shakil_Pramanno_SNR" নামে Rename করা হয়। Voice Analysis Software "BATVOX 4.1 Basic" এর সাহায্যে বিতর্কিত কণ্ঠস্বর ও গ্রামাণ্য কণ্ঠস্বর গুলোর তুলনামূলক পরীক্ষা করা হয় (সংযুক্তি-৬.২)।

৪.৩। আলামত নং-২.১ পেনড্রাইভে সংরক্ষিত ভিডিওগুলোতে AI (Artificial Intelligence) প্রযুক্তি ব্যবহৃত হয়েছে কিনা সংক্রান্তে মতামত পাওয়ার জন্য উক্ত ভিডিওগুলো তদন্তকারী কর্মকর্তা কর্তৃক সরবরাহকৃত একটি ADATA UV128/64GB যার গায়ে 1223129643 লেখা পেনড্রাইভে Identical Copy করে ডিজিটাল ফরেনসিক ল্যাবের স্মারক নং-৬৭৫/২০২৫, তাং-২৩/০৪/২০২৫ ইং মূলে আলোকচিত্র শাখায় প্রেরণ করা আলোকচিত্র শাখার স্মারক নং-"ফরেনসিক ল্যাবঃ (ঢাকা) আঃ শাখা/পিজি-১-০৪৪৭-২০২৫/১৮০৪/২০২৫, তারিখ-২৮/০৪/২০২৫ ইং মূলে আলোকচিত্র শাখা হতে আলোকচিত্র বিশারদের মতামত গ্রহণ ও পর্যালোচনা করি (সংযুক্তি-৬.৩)।

৫। মতামতঃ

৫.১। পরীক্ষাকালে, আলামত ADATA 64GB পেনড্রাইভ (SL No-1223051442) এ সংরক্ষিত "আ.লীগ নেতার সঙ্গে শেখ হাসিনার নতুন ফোনালাপ ফাঁস Sheikh Hasina Call Record Kaibela.mp4" নামীয় বিতর্কিত ফাইলে বিদ্যমান একজন নারী কণ্ঠস্বরের সাথে উক্ত আলামতে রক্ষিত ২ নং ক্রমিকে বর্ণিত "PM LIVE-25.06.24.avi" নামীয় ফাইলে সংরক্ষিত নারী প্রামাণ্য কণ্ঠস্বরের তুলনামূলক পরীক্ষায় LR (Likelihood Ratio) এর মান 8.286 পাওয়া যায় অর্থাৎ, প্রামাণ্য নারী কণ্ঠস্বরের সাথে বিতর্কিত নারী কণ্ঠস্বরের মিল রয়েছে (সংযুক্তি-৬.২, পাতা নং-১ হতে ৩)।

৫.২। পরীক্ষাকালে, আলামত ADATA 64GB পেন ড্রাইভ (SL No-122305144) এ সংরক্ষিত "আ.লীগ নেতার সঙ্গে শেখ হাসিনার নতুন ফোনালাপ ফাঁস Sheikh Hasina Call Record

Kalbela.mp4" নামীয় বিতর্কিত ফাইলে বিদ্যমান একজন পুরুষ কণ্ঠস্বরের সাথে উক্ত আলামতে রক্ষিত ০৩ নং ক্রমিকে শর্নিত "প্রভাষক শাকিল আকন্দ বুলবুল-11 চেয়ারম্যান সাপমারা ইউনিয়ন II.mp4" নামীয় ফাইলে সংরক্ষিত প্রামাণ্য পুরুষ কণ্ঠস্বরের তুলনামূলক পরীক্ষায় LR (Likelihood Ratio) এর মান 1291.912 পাওয়া যায় অর্থাৎ, প্রামাণ্য পুরুষ কণ্ঠস্বরের সাথে বিতর্কিত পুরুষ কণ্ঠস্বরের মিল রয়েছে (সংযুক্তি-৬.২, গাতা নং-৪ হতে ৬)।

৫.৩। পরীক্ষাকালে, আলামত ADATA 64GB পেনড্রাইভ যার SL No-1223051442 ভিডিওগুলোতে এ সংরক্ষিত AI (Artificial Intelligence) প্রযুক্তি ব্যবহার এবং উক্ত প্রযুক্তি ব্যবহার করে প্রস্তুত করা হয়েছে কিনা এ সংক্রান্তে আলোকচিত্র বিশারদ ও পুলিশ পরিদর্শক (নিঃ), মোঃ আখতারুজ্জামান, বিপি-৬৮৯৪০৩২২৯৭, বাংলাদেশ পুলিশ সিআইডি, ঢাকা, নিম্নোক্ত মতামত প্রদান করেন "আলামত পেনড্রাইভে রক্ষিত ভিডিও ফুটেজ সমূহে AI (Artificial Intelligence) প্রযুক্তি ব্যবহার করা এবং উক্ত প্রযুক্তি ব্যবহার করে প্রস্তুত করার প্রমাণ পরীক্ষাকালে পাওয়া যায়নি (সংযুক্তি-৬.৩) এক পাতা"

It further appears that in addition to the above forensic examination learned prosecutor Mr. Tanvir Hasan Zoha also did conduct a field investigation in order to find the origin of the conversation as well as to find out the persons involved therein and on conclusion of such investigation he submitted a report thereof enumerating the findings and Modus Operandi of how he investigated. He stated that a journalist of Gaibandha named Sumon Miah was the first

recipient of the leaked audio call in question who later on submitted the same to the Daily newspaper Kalbela for publication thereof. He also passed the same to whatsapp number 01717415748 & 01717615784 of accused Shakil Akand Bulbul @ Md. Shakil Alam who distributed the conversation among local journalists and party activists through these numbers. The learned prosecutor came to know of a group named 'A team' who coordinated secret online meetings via whatsapp and Zoom throughout 64 districts and the impugned provocative directives of Sheikh Hasina were distributed accordingly on 25th October 2024. The field investigation report of the learned prosecutor is extracted below:

"Mr. Suman Mia, a local journalist based in Gaibandha (Phone: 01639390303), was the first known recipient of the leaked audio clip.

The clip was later submitted by him to Kalbela news outlet for publication.

Phone Numbers Used in Audio Distribution:

01717415748

01711415784

These WhatsApp numbers were actively operated by Mr. Shakil Akand Bulbul, who used them to circulate the audio recording among local journalists and party networks.

IMEI of Audio Dissemination Device:

IMEI: 351492825627780

The group coordinated secret online meetings via WhatsApp and Zoom,

including one on 25 October 2024, where former PM Sheikh Hasina reportedly delivered provocative directives.

The group has since been deactivated, but screenshots and metadata confirm its active role in incitement, online agitation, and nationwide coordination among 64 district-level political leaders.

II. Witness Examination

During my visit to Panchgachi, Gaibandha Sadar, I interviewed Mosammat Simana Suraiya Simu (Phone: 01749055583), Assistant Teacher at Chandpur Alefiya Government Primary School (est. 1963).

She acknowledged that her husband (name withheld for investigation purposes) is currently on the run. Under in-depth questioning, she disclosed that on 25 October 2024 at approximately 11:40 PM, an organized online political meeting was held involving Awami League operatives from all 64 districts, under the guidance of Sushanta Das Gupta, reportedly coordinating from the UK.

III. Suspect Profile: Abul Kalam Azad
Political Role: Former MP, Gaibandha-4; Ex-President, Gobindaganj Upazila Awami League

NID: 19470130250000361

Passport: DC8001855.

Mobile: 01317543290/01716882161

Address: Pathanpara, Fulbariya,
Gobindaganj, Gaibandha

Key Exhibits:

OPPO A38 Smartphone (IMEI
869402060643515/869402060643507)

Contained WhatsApp logs, audio files
(.m4a format)

DVD-R (4.7 GB):

Stored voice files under folder
"Zhan_Phone"; analyzed using voice
recognition tools

WhatsApp Logs with: Abu Hanifa
Ahad (Nibrus), Yousuf Mondol, Ratan
Ghosh (WhatsApp: 01712567196)

Confirmed discussions regarding
political incitement and coordination
V. Conclusion and Recommendations

The network responsible for the audio
recording and dissemination involves
banned political operatives and a
digital coordination mechanism still
partially intact.

The A Team group's activities pose
serious national security threats and
require urgent monitoring and
intelligence surveillance.

Continued forensic review of devices
seized and targeted recovery efforts
are recommended to establish the full
scope of involvement and conspiracy."

22. Notwithstanding the fact that notices
were served in the given address of the
contemnor-accuseds and also through

publications in two daily newspapers
namely the Daily Jugantor and the
Daily New Age. The contemnor-
accuseds did not appear to contest the
proceedings.

23. In the circumstances the Tribunal had
no alternative other than to proceed
against the contemnor-accuseds in their
absence. For rendering legal defence to
the contemnor-accuseds the Tribunal has
appointed Advocate Mr. Md. Amir
Hossain as the state defence counsel for
defending them.

24. Since accused Sheikh Hasina is the
former prime minister of Bangladesh and
the President of Bangladesh Awami
League, her aforesaid inciting words to
burn the houses of the opponents, her
determination to kill two hundred and
twenty seven persons and her direct
threat to the officers, (understandably
those who have been dealing with her
allegations and cases viz law enforcers,
investigators, prosecutors and concerned
employees and officers of the Tribunal
with severe consequences are manifestly
obstructive and prejudicial to the legal
matters against her bearing impact on the
Administration of Justice of this Tribunal
and thereupon constituted the offence of
contempt of this Tribunal within the
ambit of section 11(4) of the Act.

25. Accused Shakil Akand Bulbul is a
participant in the conversation and he
acquiesced to the incriminating
instructions and remarks of Sheikh

Hasina and moreover he distributed the conversation amongst the Journalists newspaper Kalbela and party activists whereupon he also has committed the offence of contempt of the Tribunal. Over and above, absconsion of the contemnor-accuseds also do point towards their guilt.

26. From the facts and circumstances delineated hereinbefore it has been substantiated beyond all reasonable doubt that accuseds Sheikh Hasina and Shakil Akand Bulbul @ Md. Shakil Alam deserve to be inflicted with punishment under section 11(4) of the International Crimes Tribunal Act, 1973. The maximum punishment as prescribed therein is imprisonment for one year. But we do hold that imposition of sentence of simple imprisonment for six months upon contemnor-accused Sheikh Hasina would suffice to meet the ends of justice. The other accused being a root level activist of Sheikh Hasina deserves to be awarded a lesser sentence and it is held that ends of justice would be appositely met by imposition of sentence of simple imprisonment for two months upon him.

27. Hence contemnor accused Sheikh Hasina, having been found guilty for the

offence of contempt of this Tribunal, is hereby sentenced to suffer simple imprisonment for a period of 06 (six) months and contemnor-accused Shakil Akand Bulbul @ Md. Shakil Alam is hereby sentenced to suffer simple imprisonment for 02 (two) months for ends of justice.

28. The period of imprisonment shall be computed from the date of their surrender or arrest, as the case may be.

29. Let conviction warrant be issued against the convicted accused (1) Md. Sheikh Hasina [absconding) and (2) Shakil Akand Bulbul @ Me Shakil Alam [absconding].

30. The Inspector General of Police [IGP] is hereby directed to take appropriate measures for ensuring apprehension of the convicted accused (1) Sheikh Hasina [absconding] and (2) Shakil Akand Bulbul @ Md. Shakil Alam [absconding).

31. The Registrar of the Tribunal will take necessary measures in connection with this verdict.