

ICT BD (ICT-2) Misc. Case No.04 of 2014

The State Vs. Editor, The Daily Protham Alo

Order No.10

Dated 03.03.2015

Today is fixed for passing order.

Today 10 persons namely, Dr. Perveen Hasan, Mr. Ali Riaz, Ms. Tahmina Anam, Mr. Md. Nur Khan, Ms. Faustina Pereira, Ms. Deuty Sabur, Mr. Firdous Azim, Ms. Samia Huq, Mr. Mohiuddin Ahmed and Ms. Sarah Tasnim Shehabuddin by filing applications have expressed their remorse for the comment they made regarding the conviction of David Bergman. They have also unconditionally apologised for their comments and craved mercy of the Tribunal to exonerate them from further prosecution. Their such introspection has not only upgraded the majesty of the Tribunal but also signify their utmost admiration to the process of the administration of justice that will invariably usher reposing faith by the general mass on the fairness of Court of law in dispensing justice. In such a parlance, we accept the apology tendered by above 10 persons finding it just and proper for their remorseful disposition. Thus, we exonerate them from further prosecution.

By filing applications Ms. Nihad Kabir, the learned advocate representing 8 citizens namely, Mr. Masud Khan, Mr. Afsan Chowdhury, Mr. Ziaur Rahman, Ms. Hana Shams Ahmed, Mr. Anu Muhammad, Ms. Anusheh Anadil, Ms. Muktasree Chakma and Ms. Lubna Marium prayed for some more time for filing their proper explanations.

By filing similar applications Ms. Shirin Huq prayed for some more time on behalf of herself and rest 7 persons who are appearing in the Court in person.

Considering all aspects, we are of the view that justice would be met if the aforesaid 16 persons are given some more time to clarify their position to give their proper explanation. Accordingly, the prayers are allowed.

It appears that two persons namely, Dr. Bina D' Costa and Mr. Abrar have sent some papers to the office of the Tribunal stating why they could not file proper explanation by today, and rest distinguished persons who made the statement through the Bangladesh Missions of the respective countries where they are

presently residing have sought for some more time to send their proper explanation.

Considering all aspects, we are of the view that justice would be met if we allow the applications seeking adjournment. Accordingly, the hearing of the matter is adjourned till 18.03.2015.

Record shows that no reply has yet come from the Editorial Board of the international daily the New York Times till today. Necessary order will be passed on the date fixed on this matter.

Let this matter be posted in the list on 18.03.2015 for order.

Justice Obaidul Hassan, Chairman

Justice Md. Mozibur Rahman Miah, Member

Justice Md. Shahinur Islam, Member