

FOCUS

BANGABANDHU MURDER CASE

Verbatim Text of Cross Examination of Seventh Prosecution Witness

Continued from yesterday

Abdur Razzak Khan, defence counsel for Hon Capt (Retd) Abdul Wahab Joardar, continued his cross-examination of Lt Col (LPR) Abul Bashar on Tuesday.

Following are the excerpts from his cross-examination:

Q: You used to see the daily programme of President Bangabandhu and review those.

A: No.

Q: You were not aware of the programmes, particularly of the programmes of August 14 and 15.

A: Officially, I was not aware, but from newspapers I came to know that the President will go to Dhaka University to attend a programme on August 15 morning.

Q: Was that at 10 am.

A: I cannot remember the time.

Q: There were more than one maid at Bangabandhu's residence.

A: I don't know.

Q: You did not enquire about it even after the incident.

A: No.

Q: DSP Nurul Islam was in charge of police on that night.

A: I don't remember the name.

Q: You never had any talks with DSP.

A: Probably not.

Q: You did not enquire about him on that day (August 15).

A: The situation was not favourable.

Q: Naik Subedar Motaleb was in charge of arms, ammunition and the platoon at the camp on Road-31.

A: Yes.

Q: He (Motaleb) used to maintain the records and register.

A: Yes.

Q: Army chain of command did not take any action against you for August 15 incident.

A: No.

Q: Can you name some of your captain colleagues who were with you when you went back to your regiment in Comilla after the August 15 incident.

A: Capt Taib, Capt Atiqur Rahman, Capt Hai, Capt Anwar Farid. All of us, except the married officers, used to stay in officer's mess.

Q: Who as the MP from your area, Naichati in Jhalakathi district till August 15, 1975.

A: A man was elected as an MP with Awami League ticket in 1973 parliamentary elections. He was later killed, but I don't remember whether he was killed before or after August 15.

Q: The statement you made in the court was based on your memory.

A: I have said what I knew and from my memory.

Q: You have said that you saw Abdul Wahab Joardar at Bangabandhu's house wearing the rank and badge of a lieutenant — that is a blatant lie.

A: He was wearing the rank and badge of second lieutenant and I saw that.

Q: You have given a false

witness.

A: It is not true.

Cross-examination of Lt Col Abdul Bashar by Abdur Razzak Khan, instead of Haji Nazrul, defence counsel for Lt Col (retd) Sultan Sharifay Rashid Khan:

Q: Chief Justice Mahmud Hossain administered the oath of the new cabinet on August 15.

A: I was not present at the oath-taking function.

Q: Did you read the news in the newspaper?

A: I don't remember.

Q: Former President Abu Sayed Chowdhury and Mohammadullah also became the ministers.

A: So far I remember Abu Sayed Chowdhury did not become a minister and I could not say about the other.

Q: Khandaker Mostaque Ahmed handed over the charge to the then Chief Justice Abu Sadat Md Sayem.

A: I don't remember.

Q: You did not arrange the burial of the dead bodies.

A: No.

Q: The distance between Ganobhaban and Road-32 was short. If any firing incident takes place at Road-32, can it be heard from Ganobhaban.

A: It can be.

Q: The headquarters of Rakkhali Bahini was beside the lake behind the Ganobhaban.

A: That was in the east of Ganobhaban, but in a separate boundary which was intervened by the lake.

Q: The lake was on two to three acres.

A: Probably.

Q: When did you serve in the BDR?

A: In two tenures, first from November, 1975 to March, 1978.

Q: What was the strength in BDR headquarters?

A: I don't know.

Q: What was the strength of Rakkhali Bahini?

A: I did not have any relation with the Rakkhali Bahini.

Q: While giving statement, you wrongly mentioned Col Shahriya's name and you gave a false witness.

A: It is not true.

Cross-examination of Lt Col Abdul Bashar by Khan Saifur Rahman, defence counsel for Lt Col (retd) Syed Farooque Rahman:

Q: Although you are in LPR, you are still subject to Army

A: Yes.

Q: After joining the army you grow up the habit of reading all newspapers, magazines, weeklies, periodicals and journals.

A: My habit grew up before I joined the army and I regularly read newspapers and magazines.

Q: General Osmany was the Commander in Chief of Bangladesh Armed Forces during the War of Liberation.

A: Yes.

Q: When Osmany was the C-in-C, the eldest son of Banga-

bandhu Sheikh Kamal was his ADC.

A: I heard about it.

Q: The post of ADC for a general is a military post.

A: Yes.

Q: Commissioned officers in the defence services take oath of office.

A: Yes.

Q: Was there any irregularities in the routine works at Bangabandhu's house before the incident?

A: No.

Q: Batman provision was there at that time.

A: Yes, I also had, but did not stay with me.

Q: Your Batman knew where you were staying at the time of incident.

A: Yes.

Q: What was the name of your Batman?

A: I did not have any fixed Batman. Sometimes my driver worked as my Batman.

Q: Name one who worked as your Batman.

A: Mostafa, he used to work partially as Batman.

Q: What was the job of a Batman?

A: To keep officer's uniform tidy, brush the pipes, shoe polish and such things.

Q: How many pairs of army boot and shoes you had?

A: Probably two pairs of boot and two pairs of shoes.

Q: From where Mostafa used to collect those, from your residence at "China Building" or from Ganobhaban?

A: The lake was on two to three acres.

Q: Probable.

Q: When did you serve in the BDR?

A: In two tenures, first from November, 1975 to March, 1978.

Q: What was the strength in BDR headquarters?

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Cross-examination of Lt Col

Abul Bashar by Khan Saifur Rahman, defence counsel for Lt Col (retd) Syed Farooque Rahman:

Q: As per army law, Batman can't stay with other families.

A: I am not sure of the law, but I did not keep Mostafa with me.

Q: From Mostafa we came to know that you used to stay at Ganobhaban.

A: It is not true.

Q: Bangabandhu's son Sheikh Jamal was an army officer.

A: Yes.

Q: He came to the house on leave on the day of incident.

A: I don't know.

Q: If any army personal stays out of the station, he is called a deserter.

A: If he remains in the unit, he will not be called a deserter.

If the army confirms that he is not available in the unit only then he can be declared as an absconder.

Q: If an army person commits a civil offence and is wanted by a court, will he be called a deserter.

A: If he remains in the unit, he will not be called a deserter.

If the army confirms that he is not available in the unit only then he can be declared as an absconder.

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