# Call for building country on

UNB, Dhaka

Prime Minister Sheikh Hasina called on all to build up the country as a prosperous one based on the ideology of Father of the Nation Bangabandhu Sheikh Mujibur Rahman and the spirit of the liberation war.

leaders of the ruling Awami League and Grand Alliance met her at her official residence Jamuna yesterday as the five detained killers of were hanged on Wednesday

night in execution of the verdict on the Bangabandhu Murder Case.

Bangabandhu's ideology

bers Amir Hossain Amu, Tofail Ahmed and Abdur Razzak, former general secretary Abdul Jalil, Workers Party of Bangladesh President Rashed Khan Menon, Jatiya She made the call when Samajtantrik Dal President Hasanul Haq Inu, Jatiya Party Secretary General Ruhul Amin Hawlader and Barrister Fazle Noor Taposh MP came to

Jatiya Party President

Hussain Mohammad Ershad phoned Hasina at noon and expressed satisfaction over the execution of the killers of AL advisory council mem-Bangabandhu.

Jalil told journalists that Hasina called on them and people of all walks of life to get united and work hard to build up a prosperous Bangladesh to fulfil the dream of Bangabandhu.

He also quoted the PM as saying: "With the execution of the Father of the Nation, the rule of law has been upheld in the country."

#### Qulkhwani

STAFF CORRESPONDENT



tor of the daily New Age, will be held at his own residence at 281 Kathalbagan Dhal in the city after Asr prayers today, says a

press release. He was killed in a road accident on Tuesday at the age of 31. He has left behind his

brother, parents and a host of

relatives to mourn his death.

Relatives and admirers are requested to attend the programme and pray for salvation of the departed soul.

### Three other Aug 15 cases

FROM PAGE 1

Moni in their Dhanmondi residence.

The same day, Abdur Rab Serniabat, former water resources minister and Bangabandhu Sheikh Mujib's his Minto Road residence. Besides, 14 people died in mortar fire in Mohammadpur. A total of 24 people died on

SHEIKH MONI KILLING

On August 15, 1975 around 1:30am, several gunshots interrupted the silence of the night and woke up the people in areas adjacent to Road 13/1 at Dhanmondi.

A band of 25 to 30 army men encircled the House 170 on that road. Of them, eight to ten men dressed in black uniform and equipped with sten gun and Chinese rifle went up to the first floor and got down after shooting fires. Mohammad Shahabuddin,

a close aide to Sheikh Fazlul Haque Moni and who was on the ground floor, slightly opened the door and sneak a glance of two lorries and a jeep standing in front of the house. The army men left the scene by the vehicles towards the Satmasjid Road area.

Later, hearing a cry, Shahabuddin went upstairs and saw Moni and his wife Arzu Moni lying on the floor in a critical condition. Moni's parents, younger sister Sheikh Rekha and brother Sheikh Fazlul Karim Selimwere sobbing.

Then came Sheikh Maruf, Rashid, Aziz Pasha and Nurul

protect the killers from justice

and subsequent BNP govern-

ment later ratified it as

killers Syed Farooq Rahman,

Sultan Shahriar Rashid Khan

and former state minister

Taheruddin Thakur are

resident personal assistant

(PA) to president Sheikh

Mujibur Rahman, AFM

Mohitul Islam files the first

information report (FIR) with

Dhanmondi Police Station in

connection with the August

October 3, 1996: The

Criminal Investigation

Department (CID) takes up

the case and launches investi-

gation into the Bangabandhu

parliament scraps the

Indemnity Act paving the way

submits the charge sheet,

accusing 20 people, before the

Chief Metropolitan

Metropolitan Magistrate of

Dhaka sends the case to Dhaka

District and Sessions' Judge's

case starts as six arrested

March 20, 1997: The gov-

ernment appoints 14 lawyers

to defend 14 accused who

went into hiding abroad after

the Awami League govern-

April 6, 1997: The trial court

frames charges indicting the

April 21, 1997: The trial

adjourns on the first day of

hearing as fugitive Khandaker

Abdur Rashid's wife Zobaida

ment assumed power in 1996.

accused appear in court.

March 1, 1997: The Chief

Magistrate's Court.

legal formalities.

accused.

20 accused.

January 15, 1997: The CID

to bring the killers to justice.

November 14, 1996: The

15, 1975, carnage.

murder case.

October 2, 1996: Then

August 14, 1996: Three

Indemnity Act in 1979.

arrested.

Moni's younger brother. Arzu was crying to Selim for help and asking to save them and their two sons--Sheikh Fazle Shams Porosh and Sheikh Fazle Noor Taposh.

Shahabuddin, Selim and brother-in-law, was killed in Maruf took Sheikh Moni and Arzu to Dhaka Medical College and Hospital (DMCH) where the doctors declared them dead.

After a long 21 years of the incident, Shahabuddin filed a murder case with Dhanmondi Police Station accusing 16 people including former deputy minister Taheruddin Thakur.

Criminal Investigation Department (CID) on August 22, 2002 gave final report in this case and had it dismissed in secrecy, ignoring the legal bindings.

**SERNIABAT MURDER** 

At about 5:00am, another bloodbath took place at 27 Minto Road residence of Abdur Rab Serniabat.

A group of army men led by Major Shahriar Rashid, Major Aziz Pasha, Captain Majed and Captain Nurul Huda went up to the first floor and broke the door. Confused, Serniabat made a phone call to the residence of Bangabandhu.

The officials gathered the residents together at the drawing room on the ground floor where Shahriar and Majed fired shots at them.

Scared, Beauty Serniabat caught hold of her father Abdur Rab Serniabat. Shahriar

Huda again fired shots and left the scene.

Abdur Rab Serniabat, his nephew advocate Shaheed Serniabat, daughter Baby Serniabat, son Arif Serniabat, grand son 4-year-old Babu Serniabat, domestic helps Potka and a woman called Laxmir Ma (mother of Laxmi), and Abdur Naim Khan alias Rintu died on the spot.

Shahan Ara Begum, her mother-in-law Amena Begum, and brother-in-law Abul Khair Serniabat alias Khokan, sisters-in-law Beauty Serniabat and Rina Serniabat, and domestic helps Rana, Rafigul Islam, Lalit Das and Golam Mahmud were seriously injured.

Her husband Abul Hasnat Abdullah, son of Abdur Rab Serniabat, survived luckily hiding behind the door.

The then officer-in-charge of Ramna Police Station came to the spot and took all the victims to DMCH. Shahan Ara Begum filed a

case with Ramna Police Station in this connection on October 21, 1996, accusing 18 But proceedings of the case were stayed by the High Court

in November 1999 following a criminal revision filed by Bazlul Huda, one of the accused, against the order of charge framing. The stay order has been

remaining in force till date. MOHAMMADPUR MORTAR ATTACK

Mohammad Ali, a resident in

Sher Shah Suri Road 8 area at Mohammadpur, woke up receiving wounds in his left thigh and hearing tremendous sounds of mortar fire around 5:30am.

Hearing cries, he went to a nearby residence on Road 9 and found Rezia Begum, wife of Musa the house owner, and their daughter Nasima dead.

He then went to House 196 and 197 on Shahjahan Road in the same area where he found bodies of Habibur Rahman, Anwara Begum-1, Anwara Begum-2, Moyful Bibi, Sabera Begum, Abdullah, Rafiqul, Safia Khatun, Shahabuddin, Kasheda, Aminuddin and Honufa Bibi, all killed in mortar fire.

Later he came to know that 14 people had been killed in Mohammadpur by mortar shells fired by a group of military personnel.

He also learned that Bangabandhu and most of his family were now dead. On November 29, 1996, Ali

Mohammadpur Police Station accusing Syed Farooq Rahman and 10 others. The case is now pending with the Fourth Additional

filed a case with

Metropolitan Sessions Judge's Court of Dhaka.

Talking to The Daily Star on January 14, Attorney General Mahbubey Alam said he would take initiative to move these cases after disposal of the Bangabandhu murder

## Nightmare for AL men

**FROM PAGE 1** 

political party, which was formed to bring about a "second revolution" in the coun-

Moshtaque, known for his conservative and pro-Islamic mindset, included some of his old colleagues in his cabinet. He received backing from all rightist parties, including those that had been banned for long.

Mohammad Ullah, Abu The Daily Star. Sayeed Chowdhury, Prof Md Yousuf Ali, Phani Bhusan Mazumder, Abdul Mannan, Monoranjan Dhar, Abdul Momin, Asaduzzaman Khan, Dr AR Mallick and Dr Mozaffar Ahmed Chowdhury jail. were among the AL leaders who joined the Moshtaque government.

Moshtaque government willingly. Most were forced to join it," said senior AL leader Abdur Razzaq. Four AL leaders -- Syed

Nazrul Islam, Tajuddin Ahmed, M Mansur Ali and net. They were detained on August 23 and kept in Dhaka Central Jail.

Abdus Samad Azad, Zillur Rahman, Abdur Razzaq and September. Many mid-level AL leaders and lawmakers of the country's first parliament were also arrested at different times. Incumbent Speaker of the arms after the Liberation

ninth parliament Abdul

Hamid, who was probably the youngest lawmaker of the first parliament constituted through the 1973 national election, was also detained and kept in prison for a long time.

"I was confined in a condemned cell of Rajshahi prison for 20 days. I had to have lunch after lighting a lamp," Hamid recalled the days in prison while talking to Hamid was arrested on

March 20, 1976 in Kishoreganj and was confined in Mymensingh cantonment for 20 days. Later, he was shifted to Mymensingh He was taken to Kushtia jail from there, and then to

Rajshahi jail where AL lead-

"Only a few joined the ers Abdul Jalil and Sarder Amzad Hossain along with other party leaders were detained. "Army men used to enter Rajshahi jail illegally carrying arms. One day I heard a detainee crying out in pain. I

AHM Quamaruzzaman -- came to know that he was refused to join the new cabi- being tortured. I was later threatened with the same punishment," Hamid said. Army men repeatedly AL leaders including interrogated Hamid, who was sub-sector commander of

Bangladesh Liberation Force Tofail were detained in early in Kishoreganj and Sunamganj sectors, to know about the arms he used during the Liberation War. "I told them every time that I surrendered all the

Hamid was kept in Rajshahi jail for six months and then shifted to Dhaka Central Jail. He was released in 1978 after winning a legal battle. In efforts to create a vac-

uum in AL leadership and prevent any possible resistance, the killers arrested AL leaders at random and murdered the four national leaders, who successfully led the Liberation War in absence of Bangabandhu.

two influential AL leaders --Razzaq and Tofail -- in Dhaka Central Jail on the night they assassinated the four leaders. But luckily they were not in the central jail at that time. Razzaq was kept in Comilla jail and Tofail in Mymensingh

"On November 3, six or seven armed army men tried to enter Mymensingh jail to kill me, but the then jail super did not allow them to enter the prison," Tofail said.

Talking to The Daily Star, Razzaq, who was one of the secretaries of BAKSAL, said almost all AL leaders and activists had to suffer more or less repression following the killing of Bangabandhu.

foreign minister Dr Kamal Hossain, Razzaq said Dr Kamal was abroad at that time and did not return to the country for a long time. Student leaders were also

Asked about the then

on the run to escape torture and repression by the army. Present AL lawmaker

Mostafa Jalal Mohiuddin, who was a student leader at that time, said he, Obaidul Quader, KM Jahangir Hussain and Bahalul Majnu Chunnu secretly communicated with some leaders and tried to stage agitations. But it could not be possible as most student leaders went into hiding to escape detention and

BAKSAL could not begin its journey because of the catastrophic incident. The killers also looked for BAKSAL, founded through the fourth amendment to the constitution on June 7 1975, was about to replace the nation's other political organisations and associations officially on September 1, 1975. Khandaker Moshtaque

> declared martial law on August 20 with effect from August 15 and banned all political activities. Amid a volatile situation

> fuelled by coup and counter coup, Ziaur Rahman became the Chief Martial Law Administrator on 19 November 1976, when Justice Sayem relinquished his posi-Ziaur Rahman ultimately

> became the country's president on 21 April 1977, when President Sayem stepped Awami League was not

allowed to resume its activities, until Ziaur Rahman consolidated his political power and completed preparation for forming BNP in

# What courts observed

War," he said.

Justice Md Ruhul Amin upheld the death sentence of 10 convicts, and Junior Judge Justice ABM Khairul Haque upheld the sentence for all the 15 convicts.

Mohammad Fazlul Karim on April 30, 2001 delivered the final verdict upholding death sentence of 12 convicts.

Earlier on November 8, 1998, District and Sessions Judge of Dhaka Kazi Golam Rasul delivered the judgement convicting and sentencing 15 ex-army officers for killing Bangabandhu Sheikh Mujibur Rahman and most of his family members. The judge ordered that the

15 found guilty be executed in an open firing squad. If that was not possible for some reason, he ordered execution by hanging.

The three courts delivered the verdicts with some landmark observations.

THE SUPREME COURT

The killing of then president of the country Bangabandhu Sheikh Mujibur Rahman and most of his family members was a great crime against humanity, mankind and

murderer and a terrorist is always a terrorist and is enemy to mankind and humanity and an offender in the eye of the law. To protect and shelter such killers is a great crime, a

civilisation.

The accused brutally killed

great sin and sin spares none.

such a leader who is none but the father of the nation. "They even did not spare the child son of the president who was below 10 years old. They killed Third judge Justice him in such a brutal manner the nation was shocked and dumbfounded," the SC observed. There was no explanation

> why they killed the three women. "They committed the crime against humanity by killing a child and three innocent women who were unarmed. They eliminated almost the entire family who were found in the house. "Murder of innocent

unarmed men and women and children is the greatest sin in Islam and also in all other religions and a great crime against civilisation and mankind."

THE HIGH COURT Justice ABM Khairul Haque

observed the intention of the accused was not only to kill president Sheikh Mujibur Rahman along with his entire family but also to overthrow the government successfully and maintain the success by capturing the state power. Eleven innocent people

A murderer is always a including three women and a little boy were brutally and diabolically murdered in the incident of August 15, 1975. "Sheikh Mujibur Rahman,

the then president of Bangladesh, became a target murdered by a handful of disgruntled army officers." The manner, in which they

of a vicious intrigue and was

were so brutally and mercilessly murdered, repels any consideration of reduction of death sentence. As such the accused deserve no leniency in the matter of sentence. The man-

ner of execution of sentence

by firing squad is found to be

difficult on the part of the authorities and the accused may be hanged to death. The purpose of deployment of tanks was to show the strength of the conspirators and also to terrorise the people. Both the objects were successfully achieved. They even terrorised the 46 Brigade

people. The charges against the accused were conspiracy and killing president Bangabandhu Sheikh Mujibur Rahman, most of his family members and relatives and have got no relevance to the concept of a mutiny.

not to speak of the common

"Since persons in authority of the Army, Navy, Air Force, Police, BDR and Rakkhibahini readily owned their allegiance to the new government and no chain of command was disturbed, there was no mutinous situation as contemplated in the laws." LOWER COURT

The incident of August 15, 1975 was not only brutal but

of two newly married women and a ten-year old child. The crime is such an act that is not only harmful to

also marked ruthless shooting

individuals but also to the

society and the state. Despite being aware of the serious implications of these brutal killings, well-planned conspiracy was hatched. Therefore, there is no reason for showing any sympathy

not fit to receive any such mercy. The country's politicians changed their colours in every changed situation in absence

and mercy for them. They are

of their leaders. "The politics here is leader based. If the leader is there, everything is there and I am there.... If the leader is not there, nothing is there and I

am no more there."

Although there is no specific evidence about the involvement of Taheruddin Thakur in the conspiracy of the killing, his activities after the incident was mysterious.

"When the bullet-ridden body of Bangabandhu was lying in Dhanmondi, Thakur was busy preparing speeches and statements at the radio station."

There might be more people involved in the killings. "There was no bar to hold-

ing trial of the military offenders in a civil court on charges of killing Bangabandhu."



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Rashid moved a "no- confidence" motion at the High an air force jet from a Thai jail. Court against the trial judge. April 29, 1997: Trial resumes after the HC rejects Zobaida's petition.

April 7, 1997: The trial court month trial process ends on

April 29, 1997: Trial theHC. adjourns immediately after resumption as a defence counsel challenges at the HC the setting up of the trial court near Dhaka Central Jail.

April 30, 1997: The HC

Long road to justice rejects the petition challenging the changing of venue of the trial court.

> May 4, 1997: The HC suspends trial for one month on a time petition filed by Zobaida Rashid saying she needed more time to settle an appeal to overturn her indictment. June 19, 1997: The trial

> postponed again for the third time as Zobaida moves a petition against her indictment at the HC. July 6, 1997: The trial starts with 19 accused as the HC

> resumes but is immediately

relieves Zobaida of charges of plotting the Bangabandhu murder. July 6, 1997: Prime witness Mohitul Islam testifies before

the court. March 2, 1998: The Appellate Division of the Supreme Court rejects the appeal against the scrapping of the Indemnity Act after a 15day hearing, removing the last barrier to trying the killers.

July 9, 1998: Bangladesh and Thailand sign extradition treaty to bring back fugitive sacked Major Bazlul Huda, one of the two men who allegedly shot Bangabandhu.

July 21, 1998: Hearing of the last of the 61 prosecution witnesses out of listed 74 ends Court for trial on completion of with the cross-examination of the case's investigation officer March 12, 1997: Trial of the Abdul Kahhar Akhand.

August 5, 1998: The accused claim innocence as the testimony of witnesses August 12, 1998:

Arguments between prosecution and defence lawyers starts with the statement of chief prosecutions counsel hears charges against the Serajul Huq. October 13, 1998: The 17-

> closing arguments. November 8, 1998: District and Sessions Judge of Dhaka Kazi Golam Rasul hands down death penalties to 15 ex-army officers, and convicted killer Bazlul Huda is flown back by

the 146th day of hearing with

August 24, 2000: The hearing of the death references and appeals of this case begins at December 14, 2000: An HC

bench delivered split judgments after 28 days of hearing. Justice Md Ruhul Amin (then senior judge of the bench) upheld death penalties of 10 of

the 15, and Justice ABM Khairul Haque (then junior judge) confirmed capital

concurrent death reference and appeal hearing begins with another HC bench as the split judgment required the case to be referred to a third judge in a second bench.

April 30, 2001: Third judge Justice Mohammad Fazlul Karim confirmed death sentences of 12 of the accused after 25 days of hearing.

June 18, 2007: The United

convict AKM Mohiuddin to be brought to justice. September 23, 2007: Condoning the delay in filing the petitions by AKM Mohiuddin, a three-member Appellate Division bench granted the leave to appeal prayers filed by five detained convicts and asked them to file

regular appeal. February 17, 2009: Released on bail, Taheruddin

Thakur dies. August 23, 2009: Chief state counsel of the case Anisul Hug submitted "concise statement" to the Supreme Court as required for the final appeal

August 24, 2009: The Appellate Division fixed October 5, 2009, for the start of the appeal hearing.

October 4, 2009: Then chief justice MM Ruhul Amin constitutes a five- member bench at the apex court comprised of Justice Md Tafazzul Islam, Justice Md Abdul Aziz, Justice BK Das, Justice Md Muzammel Hossain and Justice SK Sinha for the appeal hearing.

headed by Justice Tafazzul Islam starts the hearing on the appeals. November 12, 2009: Appeal hearing ends after 29 days of

hearing.

November 19, 2009: The apex court pronounce the verdict confirming death sentence of 12 convicts handed down by the trial court and upheld by the HC.

January 9, 2010: Three detained convicts--Bazlul Huda, AKM Mohiuddin Ahmed and Mohiuddin--seek presidential mercy through jail authorities.

January 10, 2010: Bazlul Huda and AKM Mohiuddin

punishment for all 15.

January 13, 2010: The chamber judge of the Appellate Division fixes January 24, 2010, for hearing the review petitions.

member bench of the Appellate Division headed by Chief Justice Tafazzul Islam starts hearing the review petitions.

dismisses the review petitions, clearing the way for executing the five detained killers.

Ahmed files review petitions with the SC against the verdict. January 12, 2010: Convict Sultan Shariar Rashid Khan February 12, 2001: The files similar review petition.

January 24, 2010: A four-

January 27, 2010: The SC States returned absconding

January 28, 2010: The five death inmates on death row

are executed.