

Mujaheed was not with AL-Badr, says defence

STAFF CORRESPONDENT

The defence of Jamaat-e-Islami Secretary General Ahsan Mohammad Mujahid yesterday said the prosecution "intentionally" did not bring in witnesses, who were war crime victims or their family members, as they would not lie in court.

Mujahid's counsel Syed Mizanur Rahman reiterated that their client might have been a leader of Islami Chhatra Sangha during the Liberation War in 1971 but he had "no involvement" in Al-Badr, a collaborator force blamed for killing intellectuals at the fag end of the war.

During his three-hour-and-40-minute closing argument, Mizanur talked about the third, fourth, fifth and sixth charges framed against the minister of the last BNP-led alliance government.

The three-member tribunal led by Justice Obaidul Hassan recorded defence arguments before adjourning the case proceedings until today, when the defence will place further submissions.

The fourth charge says: on July 26, 1971, Razakars abducted Abu Yusuf from Alfadanga in Faridpur and brought him to an army camp set up in Faridpur stadium. Mujahid went to the camp and said something to a Pakistani army major, which caused Yusuf to be tortured severely.

Mizanur said "victim" Yusuf is still alive and he has testified before the tribunal in another case but the prosecution did not bring him in as a witness in this

case.

Almost similar charges were framed against expelled Jamaat member Abul Kalam Azad and Yusuf had testified in that case before the same tribunal. The court sentenced Azad to death but it acquitted him of the charge related to Yusuf.

According to the fifth charge, on August 30, 1971, Mujahid, accompanied by now Jamaat chief Matiur Rahman Nizami, went to the army camp at the old MPs' Hostel in Nakhalpara, Dhaka. He started scolding Altaf Mahmud, Jahir Uddin Jalal, Badi, Rumi (son of Shaheed Janani Jahanara Imam), Jewel and Azad, who were imprisoned there.

Mujahid then told one army captain that before the proclamation of clemency by the then president of Pakistan, the detainees would have to be killed. After this, Mujahid with his accomplices killed the detainees by torture. The bodies of the victims could not be traced.

Mizanur said Jalal had testified before the court that he was tortured by the accused at the army camp but he did not mention it before the investigation officer of the case.

"But he [Jalal] had told [before the investigation officer] that he was taken to the army camp," said the court.

Mizanur said Jalal testified that he had seen Altaf Mahmud, Badi and Rumi at Ramna police station on August 29, 1971, evening but according to Rumi's mother Jahanara Imam's Ekattorer Dinguli, Rumi was

picked up early on August 30, 1971.

"How could he have seen Rumi at Ramna police station on August 29," questioned Mizanur, adding that Jalal's name was even mentioned in the book, which has been placed before the court as prosecution evidence.

"Overall, Jalal has lost all credibility," said Mizanur.

The tribunal said it was not impossible for a witness to mention a different date 42 years after the incident.

Jalal had testified that Mujahid and Nizami had both tortured him during his detention.

Mizanur said the victims' family members know about the incident well but the prosecution did not produce them as their witnesses "intentionally".

It may be mentioned that Shaheen Reza Noor, son of BNP Chairperson Khaleda Zia, yesterday sent a legal notice to a minister in connection with "derogatory and defamatory" remarks against him.

Tarique issued the notice through a lawyer, asking Environment and Forest Minister Hasan Mahmud to either prove the allegation the minister had brought against him or apologise in public within two weeks.

According to the notice, the minister at a programme in Chittagong on May 25 compared Tarique to "Roghu Dakat" (an infamous robber). He had said Tarique indulged in corruption during the last BNP-Jamaat-led government's rule.

The notice also alleged that the minister on the same day had said that the BNP had indirectly proved that it was in favour of corruption and terrorism by declaring Tarique the future prime minister of Bangladesh.

Tarique's counsel warned that legal action would be taken against the minister if he failed to prove the allegation or apologise duly.

This is the latest in a series of political rows throughout this week between the ruling party and the opposition over Tarique's speech on May 20. Tarique left the country for London during the last military-backed caretaker government's rule in 2008 and was largely quiet until May 20.

"COURT ORDER INEFFECTIVE"

Mahbub Uddin Khokon, a counsel for Tarique, yesterday claimed that the lower court order, which on Sunday allowed the ACC to seek the help of Interpol in arresting Tarique, was ineffective.

Khokon told The Daily Star that the ACC could not submit such an application and even the court had no power to allow it as per Criminal Code of Procedure and Anti-Corruption Commission Act 2004. He, however, could not specifically say which law restricted the ACC and the court from doing so.

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BNP burns

FROM PAGE 1

On Sunday, a Dhaka court cleared the way for the Anti-Corruption Commission to ask for Interpol's help in arresting Tarique in connection with the money-laundering case.

In an immediate reaction, the Bogra and Sirajganj units of the BNP enforced a daylong hartal in the districts yesterday.

Besides, BNP affiliates Chhata Dal, Jubo Dal and Svechchhasebok Dal yesterday staged protests and vandalised at least 17 vehicles and exploded a dozen homemade crude bombs in different parts of the capital and in Narayanganj.

Meanwhile, BNP spokesperson Shamsuzzaman Dudu yesterday said Tarique was coming home soon to take charge of the party. "On his return, he [Tarique] will counter all the allegations raised against him," Dudu told a press briefing at the BNP's Nayapaltan central office.

In another development, Tarique Rahman, elder son of BNP Chairperson Khaleda Zia, yesterday sent a legal notice to a minister in connection with "derogatory and defamatory" remarks against him.

Tarique issued the notice through a lawyer, asking Environment and Forest Minister Hasan Mahmud to either prove the allegation the minister had brought against him or apologise in public within two weeks.

She said everyone had a role to play and it would have to be ensured that a tragedy like the Rana Plaza collapse did not visit Bangladesh again. "At the end of the day, it's for the government to take the lead role...efforts to that end must be sustained in order to resolve all the problems."

Turning to the political situation in Bangladesh, the US under secretary said she was worried over the violence, saying Bangladesh must free itself of this long-standing cycle of election-year violence.

In reply to a question at a joint press conference about the political stalemate over an election-time government, Sherman, who led the US delegation to the second Bangladesh-US Partnership Dialogue on May 26-27 in Dhaka said it was for Bangladesh to decide how the election would be held.

"That's really a decision for Bangladesh. It's wonderful to see the vibrancy of democracy and we look forward to a free, fair, inclusive and credible election," she told reporters.

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