

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা  
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বুধবার, এপ্রিল ৮, ২০২৬

বাংলাদেশ জাতীয় সংসদ

ঢাকা, ২৪ চৈত্র, ১৪৩২ মোতাবেক ০৭ এপ্রিল, ২০২৬

নিম্নলিখিত বিলটি ২৪ চৈত্র, ১৪৩২ মোতাবেক ০৭ এপ্রিল, ২০২৬ তারিখে জাতীয় সংসদে  
উত্থাপিত হইয়াছে :—

বা. জা. স. বিল নং ১৫/২০২৬

**Code of Criminal Procedure, 1898 অধিকতর সংশোধনকল্পে আনীত বিল**

যেহেতু Code of Criminal Procedure, 1898 (Act No. V of 1898) এর অধিকতর  
সংশোধন করা সমীচীন ও প্রয়োজনীয়; এবং

সেহেতু এতদ্বারা নিম্নরূপ আইন করা হইল:—

১। **সংক্ষিপ্ত শিরোনাম ও প্রবর্তন।**—(১) এই আইন Code of Criminal Procedure  
(Amendment) Act, 2026 নামে অভিহিত হইবে।

(২) ধারা ১২ এর বিধান ১০ জুলাই ২০২৫ তারিখে এবং অন্যান্য বিধান ১০ আগস্ট ২০২৫  
তারিখে কার্যকর হইয়াছে বলিয়া গণ্য হইবে।

২। **Act No. V of 1898 এর section 32 এর সংশোধন।**—Code of Criminal  
Procedure, 1898 (Act No. V of 1898), অতঃপর উক্ত Code বলিয়া উল্লিখিত, এর section  
32 এর sub-section (1) এর—

(ক) clause (a) এ উল্লিখিত “ten thousand taka” শব্দগুলির পরিবর্তে “five lac  
taka” শব্দগুলি প্রতিস্থাপিত হইবে এবং “Whipping” শব্দটি বিলুপ্ত হইবে;

( ১৪৪৯৯ )

মূল্য : টাকা ২০.০০

- (খ) clause (b) এ উল্লিখিত “five thousand taka” শব্দগুলির পরিবর্তে “three lac taka” শব্দগুলি প্রতিস্থাপিত হইবে; এবং
- (গ) clause (c) এ উল্লিখিত “two thousand taka” শব্দগুলির পরিবর্তে “two lac taka” শব্দগুলি প্রতিস্থাপিত হইবে।

৩। Act No. V of 1898 এ নূতন section 46A, section 46B, section 46C, section 46D এবং section 46E এর সন্নিবেশ।—উক্ত Code এর section 46 এর পর যথাক্রমে নিম্নরূপ নূতন section 46A, section 46B, section 46C, section 46D এবং section 46E সন্নিবেশিত হইবে, যথা:—

**“46A. Procedure of arrest and duties of officer making arrest.—**In making an arrest, the police-officer or other person making the same shall—

- (a) bear an accurate, visible and clear identification of his name which will facilitate easy identification;
- (b) disclose his identity and if demanded, shall show his identity card to the person arrested and to the persons present at the time of arrest;
- (c) prepare a memorandum of arrest which shall be-
- (i) attested by at least one witness, who is a member of the family of the person arrested or a respectable inhabitant of the locality where the arrest is made and where no such witness is available, the reasons thereof be recorded in the memorandum;
- (ii) countersigned or thumb-impressed by the person arrested if not refused by him;
- (d) intimate, where the accused is arrested from a place other than his residence, to a family member, relative, or a friend nominated by the person arrested, as soon as practicable but not later than twenty four hours from the time of such arrest, notifying the time and place of arrest and the place of custody;
- (e) ensure, if any mark of injury is found on the body of the person arrested, the examination and first aid treatment of the person by a medical officer or a registered medical practitioner, as the case may be, in accordance with section 46E; obtain a certificate from the attending medical officer or practitioner; and record the reasons for such injury;

- (f) allow the person arrested, if he so desires, to consult a lawyer of his choice or to meet any of his nearest relation, preferably within twelve hours of such arrest.

**46B. Entry of arrest in official register, general diary and providing information relating to arrest.**—(1) An entry shall be made in the official register by the officer making the arrest, stating the ground of arrest, the name and particulars of the informant or complainant, the name and particulars of the relative or friend, as the case may be, to whom information about the arrest has been given, and the name and particulars of the officer having custody of the person arrested.

(2) Every arrest made within the jurisdiction of a police-station shall be entered forthwith in the general diary of such station, and where the officer making the arrest is not attached to the said police-station, he shall, immediately after making such arrest, cause a copy of the memorandum of arrest to be furnished to the officer-in-charge of the said police-station, who shall thereupon cause an entry thereof to be made in the general diary.

(3) The officer responsible for maintaining the register or the general diary under sub-sections (1) and (2) shall, on demand, be bound to furnish information relating to such arrest to any relative, friend, or neighbour of the person arrested.

**46C. Designated Police-Officer for maintaining and displaying information of arrest.**— District Superintendent of Police in every district, or Police Commissioner in every Metropolitan area, as the case may be, shall designate a police-officer not below the rank of an Assistant Sub-Inspector of Police in every district or Metropolitan headquarters and in every police station, for maintaining the information regarding the names and addresses of persons arrested and the nature of the offence for which they have been arrested; and such information shall be prominently displayed, preferably in digital form, at every police station and at the district or Metropolitan headquarters.

**46D. Health and safety of arrested person.**—It shall be the duty of the person having custody of an arrested person to take reasonable care of his health and safety.

**46E. Examination of arrested person by medical officer.**—(1) When any person arrested appears to be sick or bears any mark of injury, he shall, soon after the arrest is made, be examined and provided with first aid treatment by a medical officer of a Government hospital; and if such medical officer is not available, by a registered medical practitioner:

Provided that where the arrested person is a female, the examination of her body shall, if practicable, be conducted by or under the supervision of a female medical officer or a female medical practitioner, or in the presence of a female staff nurse or a female attendant, as the case may be.

(2) Where an examination and treatment are conducted under sub-section (1), a certificate along with the report of such examination and treatment shall be furnished by the medical officer or registered medical practitioner, as the case may be, to the concerned police-officer, as well as to the arrested person or to a person nominated by him.

(3) Where an arrested person, being sick or injured, is produced before the Magistrate, the Magistrate may pass necessary orders for his medical treatment:

Provided that where the arrested person is severely injured or sick in a manner which requires his admission into a hospital and renders his physical production before the Magistrate impracticable, he may be produced through electronic video linkage, subject to the satisfaction of the Magistrate and to such terms as the Magistrate may determine.”।

**৪। Act No. V of 1898 এর section 51 এর সংশোধন।**—উক্ত Code এর section 51 এর শেষে উল্লিখিত “him” শব্দটির পর “; and where any article is seized from the arrested person, the officer shall prepare a list in the presence of a witness and obtain his signature, if practicable, and shall serve a copy thereof to the arrested person or to any person nominated by him” সেমিকোলন, শব্দগুলি ও কমাগুলি সন্নিবেশিত হইবে।

**৫। Act No. V of 1898 এর section 54 এর সংশোধন।**—উক্ত Code এর section 54 এর পরিবর্তে নিম্নরূপ section 54 প্রতিস্থাপিত হইবে, যথা:—

**“54. When police may arrest without warrant.—**(1) Any police-officer may, without an order from a Magistrate and without warrant, arrest-

*firstly*, any person who commits, in the presence of a police-officer, a cognizable offence;

*secondly*, any person against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists that he has committed a cognizable offence punishable with imprisonment for a term which may be less than seven years or which may extend to seven years, whether with or without fine, if the following conditions are satisfied, namely:—

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- (i) the police-officer has reason to believe, on the basis of such complaint, information, or suspicion that such person has committed the said offence; and
- (ii) the police-officer is satisfied that such arrest is necessary—
- (a) to prevent such person from committing any further offence; or
- (b) for proper investigation of the offence; or
- (c) to prevent such person from causing the evidence of the offence to disappear or tampering with such evidence in any manner; or
- (d) to prevent such person from making any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the police-officer; or
- (e) as unless such person is arrested, his presence in the Court whenever required cannot be ensured;

and the police-officer shall record while making such arrest, his reasons in writing:

Provided that a police-officer shall, in all cases where the arrest of a person is not required under the provisions of this sub-section, record the reasons in writing for not making the arrest;

*thirdly*, any person against whom credible information has been received that he has committed a cognizable offence punishable with imprisonment for a term which may extend to more than seven years whether with or without fine, or with death sentence and the police-officer has reason to believe, on the basis of that information, that such person has committed the said offence;

*fourthly*, any person having in his possession without lawful excuse, the burden of proving which excuse shall lie on such person, any implement of house breaking;

*fifthly*, any person who has been proclaimed as an offender either under this Code or by order of the Government;

*sixthly*, any person in whose possession anything is found which may reasonably be suspected to be stolen property and who may reasonably be suspected of having committed an offence with reference to such thing;

*seventhly*, any person who obstructs a police-officer while in the execution of his duty, or who has escaped, or attempts to escape, from lawful custody;

*eighthly*, any person who is reasonably suspected of being a deserter from the armed forces of Bangladesh;

*ninthly*, any person who has been concerned in, or against whom a reasonable complaint has been made or credible information has been received or a reasonable suspicion exists of his having been concerned in, any act committed at any place out of Bangladesh, which, if committed in Bangladesh, would have been punishable as an offence, and for which he is, under any law relating to extradition, or otherwise, liable to be apprehended or detained in custody in Bangladesh;

*tenthly*, any released convict committing a breach of any rule made under section 565, sub-section (3);

*eleventhly*, any person for whose arrest a requisition, has been received from another police-officer, provided that the requisition specifies the person to be arrested and the offence or other cause for which the arrest is to be made and it appears therefrom that the person might lawfully be arrested without a warrant by the officer who issued the requisition.

(2) No police-officer shall arrest a person under this section for the purpose of detaining him under any law providing for preventive detention.”।

৬। Act No. V of 1898 এ নূতন section 54A এর সন্নিবেশ।—উক্ত Code এর section 54 এর পর নিম্নরূপ নূতন section 54A সন্নিবেশিত হইবে, যথা:—

“54A. Person arrested to be informed of reason of arrest.—Every police-officer arresting any person without warrant shall, at the time of making arrest, communicate to him the reasons for which he is arrested.”।

৭। Act No. V of 1898 এ নূতন section 67A এর সন্নিবেশ।—উক্ত Code এর section 67 এর পর নিম্নরূপ নূতন section 67A সন্নিবেশিত হইবে, যথা:—

**“67A. Procedure in case of non-compliance with provisions relating to arrest.—**The Magistrate or Court, as the case may be, before whom the arrested person is produced, shall examine whether the provisions of this Code relating to arrest have been duly complied with by the officer making the arrest; and if the Magistrate or Court finds that any such provision or provisions have been negligently violated or not complied with, he or it may, for reasons to be recorded in writing, direct appropriate action to be taken against the concerned officer in accordance with the applicable service rules.”।

**৮। Act No. V of 1898 এর section 69 এর সংশোধন।—**উক্ত Code এর section 69 এর sub-section (3) এর পর নিম্নরূপ নূতন sub-section (4) সংযোজিত হইবে, যথা:—

“(4) The Court may, in addition to the modes of service provided in the foregoing sections, direct that the summons be served through electronic means such as Short Message Service (SMS), voice call, instant messaging service, or electronic mail, and the proof of such service shall be preserved with the record.”।

**৯। Act No. V of 1898 এর section 70 এর সংশোধন।—**উক্ত Code এর section 70 এ উল্লিখিত “male” শব্দটি বিলুপ্ত হইবে।

**১০। Act No. V of 1898 এর section 167 এর সংশোধন।—**উক্ত Code এর section 167 এর—

(ক) sub-section (2) এর পরিবর্তে নিম্নরূপ sub-section (2) প্রতিস্থাপিত হইবে, যথা:—

“(2) The Magistrate to whom an accused person is forwarded under this section or produced otherwise, may, whether he has or has not jurisdiction to try the case from time to time authorize the detention of the accused in such custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole; and if he has not jurisdiction to try the case or send it for trial, and considers further detention unnecessary, he may order the accused to be forwarded to a Magistrate having such jurisdiction:

Provided that no Magistrate of the third class, and no Magistrate of the second class not specially empowered in this behalf by the Government, shall authorize detention in the custody of the police:

Provided further that no Magistrate shall, under any particular case, authorize the detention of an accused person in police custody for a period exceeding fifteen days in the whole; and where further detention is considered necessary, the Magistrate may, upon production of the accused either in person or through electronic video linkage, authorize such detention in judicial custody.

**Explanation**—For the purposes of this Chapter, “judicial custody” means the custody of an accused in jail or in any other custody, other than the custody of the police, under the order of a Magistrate or Court during investigation.”;

(খ) Sub-section (2) এর পর নিম্নরূপ নূতন sub-section (2A) সন্নিবেশিত হইবে, যথা:—

“(2A) A Magistrate authorizing the detention of an accused person in police custody under sub-section (2), may order that the accused be examined by a medical officer of nearest government hospital before he is handed over to such custody; and upon expiry of the period of police custody, the accused shall be produced before the Magistrate without unnecessary delay; and if, upon such production, there appears to be any mark of injury on the body of the person accused, or the accused alleges that he has been subjected to torture during such custody, the Magistrate shall direct that the accused be examined by a medical officer of the nearest government hospital and where the medical report reveals that the accused has been subjected to torture during police custody, the Magistrate shall proceed in accordance with law.”।

১১। Act No. V of 1898 এ নূতন section 167A এর সন্নিবেশ।—উক্ত Code এর section 167 এর পর নিম্নরূপ নূতন section 167A সন্নিবেশিত হইবে, যথা:—

**“167A. Duties of Magistrates in relation to shown arrest and detention.**—(1) Where the officer making the investigation in a case seeks a person who is already in custody in another case to be shown arrested in that case, the Magistrate shall not allow such prayer unless the arrested person is produced before him along with a copy of the entries in the diary relating to such case and given opportunity of being heard and unless the application appears to be well-founded.

(2) The Magistrate shall not authorize the detention of any person in judicial custody where the police forwarding report discloses that the arrest has been made for the purpose of detaining him under any law providing for preventive detention.

(3) If the Magistrate has reason to believe that any officer who has legal authority to commit a person in confinement has acted contrary to law, he shall proceed against such officer under section 220 of the Penal Code.”।

১২। Act No. V of 1898 এর section 173A এর সন্নিবেশ।—Code of Criminal Procedure, 1898 (Act No. V of 1898) এর section 173 এর পর নিম্নরূপ নূতন section 173A সন্নিবেশিত হইবে, যথা:—

“173A. Interim investigation report, etc.—(1) Notwithstanding anything contained in sub-section (1) of section 173, before completion of an investigation of any case under this Chapter, the Police Commissioner or the District Superintendent of Police or any other officer of equivalent rank supervising the investigation, as the case may be, may require the Investigating Officer to submit an interim investigation report as to the progress of the investigation of the case.

(2) If the interim investigation report, as required, discloses that there is insufficient evidence against any accused, the Police Commissioner, the District Superintendent of Police or any other officer of equivalent rank supervising the investigation, as the case may be, may direct the Investigating Officer to submit the report to the Magistrate and upon receipt of such report, the Magistrate or the Tribunal, as the case may be, may, if satisfied, order to discharge such accused subject to sub-section (3), without prejudice to the continuation of investigation against the remaining accused persons.

(3) Notwithstanding the discharge of any accused under sub-section (2), if, upon completion of the investigation, it appears on the basis of sufficient and substantive evidence that such person is involved in the commission of the alleged offence, the Investigating Officer shall not be precluded from including his name in the police report under section 173.”

১৩। Act No. V of 1898 এ নূতন section 173B এর সন্নিবেশ।—উক্ত Code এর section 173A এর পর নিম্নরূপ নূতন section 173B সন্নিবেশিত হইবে, যথা:—

“173B. Provisions for completion of investigation.—(1) Notwithstanding anything contained in this Code, every investigation under this Chapter shall be completed within sixty working days from the date of receipt of the information relating to the offence.

(2) Where, for reasonable cause, the investigation cannot be completed within the period specified in sub-section (1), the investigating officer shall record the reasons for such delay in the case diary, apply to the Magistrate for extension of time stating the specific grounds and the additional time required, and forward a copy of such application to the superior officer supervising the investigation.

(3) Upon consideration of the application made under sub-section (2), the Magistrate may, by order, extend the time for investigation as may be deemed reasonable, and the investigating officer shall conclude the investigation within the extended time.

(4) Where the investigation is not completed within the time so extended under sub-section (3), the investigating officer shall, upon expiry of such period, report the reasons in writing to the Magistrate and send a copy thereof to the superior officer supervising the investigation.

(5) Upon consideration of the explanation submitted under sub-section (4), or where no such explanation is submitted by the investigating officer, the Magistrate may—

- (a) direct that the investigation be conducted by another officer;
- (b) treat such delay as incompetence or misconduct on the part of the investigating officer, cause a note thereof to be recorded in the officer's Annual Confidential Report, and direct the appropriate authority to take action in accordance with the relevant service rules.

(6) If, upon submission of the investigation report, the Court is satisfied, having regard to the materials on record, that any person named as an accused ought, in the interest of justice, to be treated as a witness, the Court may pass an order to that effect, and such person shall be treated as a witness in the case.

(7) If, upon conclusion of the trial, the Court finds that the investigating officer either negligently or with intent to protect any person from criminal liability—

- (i) failed to collect or consider any admissible evidence;
- (ii) treated any person as a witness who ought to have been made an accused; or
- (iii) failed to examine a material witness without justification, the Court may record a finding to that effect, treat such act or omission as misconduct or incompetence, and direct the controlling authority to take appropriate legal action against the officer in accordance with law.”<sup>1</sup>

**১৪। Act No. V of 1898 এর section 247 এর সংশোধন।**—উক্ত Code এর section 247 এ উল্লিখিত “If the summons has been issued on complaint, and upon” শব্দগুলি ও কমা এর পরিবর্তে “In a case instituted upon complaint, if on” শব্দগুলি ও কমা প্রতিস্থাপিত হইবে।

**১৫। Act No. V of 1898 এর section 250 এর সংশোধন।**—উক্ত Code এর section 250 এর—

- (ক) sub-section (1) এ উল্লিখিত “false and either frivolous or vexatious, the Magistrate” শব্দগুলির পর “may” শব্দটির পরিবর্তে “shall” শব্দ প্রতিস্থাপিত হইবে;
- (খ) sub-section (2) এ উল্লিখিত “frivolous or vexatious” শব্দগুলির পর “may” শব্দটির পরিবর্তে “shall” শব্দ প্রতিস্থাপিত হইবে; “one thousand taka” শব্দগুলির পরিবর্তে “fifty thousand taka” শব্দগুলি প্রতিস্থাপিত হইবে এবং “five hundred taka” শব্দগুলির পরিবর্তে “twenty-five thousand taka” শব্দগুলি প্রতিস্থাপিত হইবে;
- (গ) sub-section (3) এ উল্লিখিত “one hundred taka” শব্দগুলির পরিবর্তে “five thousand taka” শব্দগুলি প্রতিস্থাপিত হইবে; এবং
- (ঘ) sub-section (5) এ উল্লিখিত “three thousand taka” শব্দগুলির পরিবর্তে “one lac taka” শব্দগুলি প্রতিস্থাপিত হইবে।

**১৬। Act No. V of 1898 এর Section 260 এর সংশোধন।**—উক্ত Code এর section 260 এর sub-section (1) এর—

- (ক) clause (d) এ উল্লিখিত “ten thousand taka” শব্দগুলির পরিবর্তে “five lac taka” শব্দগুলি প্রতিস্থাপিত হইবে;
- (খ) clause (e) এ উল্লিখিত “ten thousand taka” শব্দগুলির পরিবর্তে “five lac taka” শব্দগুলি প্রতিস্থাপিত হইবে;
- (গ) clause (f) এ উল্লিখিত “ten thousand taka” শব্দগুলির পরিবর্তে “five lac taka” শব্দগুলি প্রতিস্থাপিত হইবে; এবং
- (ঘ) clause (g) এ উল্লিখিত “ten thousand taka” শব্দগুলির পরিবর্তে “five lac taka” শব্দগুলি প্রতিস্থাপিত হইবে।

**১৭। Act No. V of 1898 এ নূতন section 264A এর সন্নিবেশ।**—উক্ত Code এর section 264 এর পর নিম্নরূপ নূতন section 264A সন্নিবেশিত হইবে, যথা:—

“264A. Special procedure for summary trials.—Notwithstanding anything contained in section 262, the framing of charges, recording of evidence, examination of the accused under section 342, and pronouncement of judgment may, if practicable, be completed in the same session at any place within the jurisdiction of the Court.”।

**১৮। Act No. V of 1898 এর section 339B এর সংশোধন।**—উক্ত Code এর section 339B এর sub-section (1) এর পরিবর্তে নিম্নরূপ sub-section (1) প্রতিস্থাপিত হইবে, যথা:—

“(1) Notwithstanding anything contained in section 87 and section 88, where the Court has reason to believe that an accused person has absconded or is concealing himself so that he cannot be arrested and produced for trial and there is no immediate prospect of arresting him, the Court taking cognizance of the offence complained of shall, by order published in one national daily Bangla Newspaper having wide circulation, direct such person to appear before it within such period as may be specified in the order, and if such person fails to comply with such direction, he shall be tried in his absence:

Provided that the Court may, in addition, direct that the order for appearance of the accused be published on the official website of the District and Sessions Judge Court, the Chief Judicial Magistrate Court, the Chief Metropolitan Magistrate Court, the office of the Deputy Commissioner, the Bangladesh Police, or any other government website having wide public accessibility.”।

**১৯। Act No. V of 1898 এর section 345 এর সংশোধন।**—উক্ত Code এর section 345 এর—

(ক) sub-section (2) এর সারণির “rioting” এর ওপরে নতুন সারি যুক্ত হইবে, যেখানে “Offence.” কলামের বিপরীতে “Being member of unlawful assembly” শব্দগুলি; “Sections of Penal Code applicable.” কলামের বিপরীতে “143” সংখ্যা; এবং “Persons by whom offence may be compounded.” কলামের বিপরীতে “The person against whom the unlawful assembly was assembled” শব্দগুলি উল্লিখিত হইবে;

(খ) sub-section (7) এর পর নিম্নরূপ নূতন sub-section (8) সংযোজিত হইবে, যথা:—

“(8) Notwithstanding anything contained in this section, the Court may, where both parties agree to compound any compoundable case, facilitate the compounding process between the parties or refer the matter to the concerned Legal Aid Officer appointed under the Legal Aid Act, 2000 (Act No. 6 of 2000), or to the advocates engaged by the parties, or, where no advocate has been engaged, to the party or parties themselves for composition; and if the Court is satisfied that a lawful agreement has been executed by the parties in furtherance of such compounding, it may preserve the agreement in the record and pass such orders as may be necessary to implement its terms, provided that such implementation does not prejudice the rights or interests of any third party.

Explanation: For the purpose of this sub-section, the term “party” means the person or persons by whom the offence may lawfully be compounded and the accused.”।

২০। Act No. V of 1898 এর section 390 হইতে section 395 এর বিলোপ।—উক্ত Code এর section 390 হইতে section 395 বিলুপ্ত হইবে।

২১। Act No. V of 1898 এর section 396 এর সংশোধন।—উক্ত Code এর section 396 এর sub-section (1) এ উল্লিখিত, “, fine or whipping” কমা ও শব্দগুলির পরিবর্তে “or fine” শব্দগুলি প্রতিস্থাপিত হইবে।

২২। Act No. V of 1898 এর section 413 এর সংশোধন।—উক্ত Code এর section 413 এ উল্লিখিত “fifty taka” শব্দগুলির পরিবর্তে “five thousand taka” শব্দগুলি প্রতিস্থাপিত হইবে।

২৩। Act No. V of 1898 এর section 414 এর সংশোধন।—উক্ত Code এর section 414 এ উল্লিখিত “two hundred taka” শব্দগুলির পরিবর্তে “five thousand taka” শব্দগুলি প্রতিস্থাপিত হইবে।

২৪। Act No. V of 1898 এ section 498 এর সংশোধন।—উক্ত Code এর section 498 এর বিদ্যমান বিধান sub-section (1) হিসাবে সংখ্যায়িত হইবে এবং অতঃপর নিম্নরূপ নূতন sub-section (2) সংযোজিত হইবে, যথা:—

“(2) Any Court, while releasing the accused on bail, may impose reasonable and fair conditions to prevent his abscondence or to ensure his good behaviour.”।

২৫। Act No. V of 1898 এর section 499 এর সংশোধন।—উক্ত Code এর section 499 এর sub-section (2) এর পর নিম্নরূপ নূতন sub-section (3) সংযোজিত হইবে, যথা:—

“(3) The bond referred to in this section may be submitted to the Court by the accused in person, or through his pleader, or through online system, as permitted by the Court, subject to verification of the identity and eligibility of the sureties through their National Identification Number or any other appropriate means.”।

২৬। Act No. V of 1898 এর section 540A এর সংশোধন।—উক্ত Code এর section 540A এর—

(ক) sub-section (1) এ উল্লিখিত “where two or more accused are before the Court,” শব্দগুলি ও কমা বিলুপ্ত হইবে এবং “any one or more of” শব্দগুলির পর উল্লিখিত “such” শব্দটির পরিবর্তে ‘the’ শব্দটি প্রতিস্থাপিত হইবে; এবং

(খ) sub-section (2) এর পর নিম্নরূপ নূতন sub-section (3) সংযোজিত হইবে, যথা:—

“(3) At the stage of investigation under this Code, the Judge or Magistrate may, for reasons to be recorded in writing, dispense with the personal attendance of an accused person who is on bail and represented by an advocate, until the date fixed for hearing of the investigation report.”।

২৭। Act No. V of 1898 এর section 544 এর সংশোধন।—উক্ত Code এর section 544 এর—

- (ক) উপাত্তটীকায় উল্লিখিত “Expenses of complainants and witnesses” শব্দগুলির পরিবর্তে “Expenses and protection of complainants, witnesses and victims” শব্দগুলি ও কমা প্রতিস্থাপিত হইবে;
- (খ) বিদ্যমান বিধান sub-section (1) হিসাবে সংখ্যায়িত হইবে এবং উক্ত sub-section (1) এ উল্লিখিত “rules” শব্দটির পরিবর্তে “order” শব্দটি প্রতিস্থাপিত হইবে; এবং
- (গ) sub-section (1) এর পর নিম্নরূপ নূতন sub-section (2) সংযোজিত হইবে, যথা:—  
“(2) Any Court may, on the application of any aggrieved person or on its own motion, at any stage of a criminal proceeding, pass such order or take such steps as may be necessary for the protection or security of any informant, complainant, victim or witness.”।

২৮। Act No. V of 1898 এর SCHEDULE II এর সংশোধন।—উক্ত Code এর SCHEDULE II এর কলাম 1 এ উল্লিখিত—

- (ক) এন্ড্রি 143 এর বিপরীতে কলাম 6 এর এন্ড্রিতে উল্লিখিত “Not compoundable” শব্দগুলির পরিবর্তে “Compoundable” শব্দটি প্রতিস্থাপিত হইবে;
- (খ) এন্ড্রি 144 এর বিপরীতে কলাম 6 এর এন্ড্রিতে উল্লিখিত “Ditto” শব্দটির পরিবর্তে “Not Compoundable” শব্দগুলি প্রতিস্থাপিত হইবে; এবং
- (গ) এন্ড্রি 325 এর বিপরীতে কলাম 4 এর এন্ড্রিতে উল্লিখিত “Summons” শব্দটির পরিবর্তে “Warrant” শব্দটি প্রতিস্থাপিত হইবে এবং কলাম 5 এর এন্ড্রিতে উল্লিখিত “Bailable” শব্দটির পরিবর্তে “Not bailable” শব্দগুলি প্রতিস্থাপিত হইবে।

২৯। Act No. V of 1898 এর SCHEDULE V এ নূতন Form IA সন্নিবেশ।—উক্ত Code এর SCHEDULE V এর Form I এর পূর্বে নিম্নরূপ নূতন Form IA সন্নিবেশিত হইবে, যথা:—

### “MEMORANDUM OF ARREST

(See section 46A)

1. Name, Father’s name, Husband’s name (if applicable), address, and age of the arrested person:
2. NID/ Passport/ Birth Registration Number of the arrested person (if available):
3. Place of arrest:
4. Date and time of arrest:
5. Reasons for arrest (mention relevant law and section):
6. Name and address of informant/complainant (if applicable):
7. Case/GD number:

8. Memo number and date of warrant of arrest (where applicable):
9. Physical condition of the arrested person at the time of arrest:
10. Cause of injury, if found, on the body of the arrested person:
11. Name of attending registered medical practitioner and certification (attach a copy if the arrested person is injured):
12. Has the family/ relative/ friend/neighbour of the arrested person been informed? Yes / No
13. Name and address of relative/friend/neighbour of the arrested person who is informed of the arrest:
14. Contact number of the person informed:
15. Court before which the arrested person is to be produced:
16. Signature or thumb-impression of the arrested person (if not refused):
17. Signature of a family member of the arrested person or a respectable inhabitant of the locality (state reason if not found):

.....  
Name, designation, ID number and signature of the arresting officer

**[Direction:**

This memorandum shall be prepared at the time and place of arrest and shall be forwarded to the Magistrate or Court together with the arrested person. If the arrested person is injured, attach the attending registered medical practitioner's certification and/or release documentation. A copy must be preserved in the case diary for future reference.”।

**৩০। রহিতকরণ ও হেফাজত।—**(১) Code of Criminal Procedure (Amendment) Ordinance, 2025 (২০২৫ সনের ৩৬ নং অধ্যাদেশ) এবং Code of Criminal Procedure (Second Amendment) Ordinance, 2025 (২০২৫ সনের ৪১ নং অধ্যাদেশ), অতঃপর উক্ত অধ্যাদেশসমূহ বলিয়া উল্লিখিত, এতদ্বারা রহিত করা হইল।

(২) উপ-ধারা (১) এর অধীন রহিতকরণ সত্ত্বেও, উক্ত অধ্যাদেশসমূহের অধীন কৃত কোনো কার্য, গৃহীত কোনো ব্যবস্থা বা সূচিত কোনো কার্যধারা এই আইনের অধীন কৃত, গৃহীত বা সূচিত হইয়াছে বলিয়া গণ্য হইবে।

### উদ্দেশ্য ও কারণ সংবলিত বিবৃতি

বর্তমান পরিবর্তিত সামাজিক প্রেক্ষাপট এবং বিচারপ্রার্থী জনগণের দ্রুত ও স্বচ্ছ বিচার নিশ্চিত করার লক্ষ্যে ফৌজদারি বিচার ব্যবস্থার আধুনিকায়ন একান্ত আবশ্যিক। বিশেষ করে মুদ্রাস্ফীতির কারণে ম্যাজিস্ট্রেটের অর্থদণ্ড প্রদানের বিদ্যমান সীমাবদ্ধতা এবং গ্রেপ্তার ও তদন্ত প্রক্রিয়ায় সুপ্রীম কোর্টের নির্দেশনাসমূহ বিধিবদ্ধ না হওয়ায় বিচারিক কার্যক্রমে নানাবিধ জটিলতার সৃষ্টি হচ্ছে। সেই প্রেক্ষিতে মামলা দ্রুত নিষ্পত্তি, বিচারিক স্বচ্ছতা এবং মানবাধিকার সুরক্ষা নিশ্চিতকল্পে Code of Criminal Procedure, 1898 এর সংশ্লিষ্ট ধারাগুলোর সংশোধন ও যুগোপযোগীকরণ অপরিহার্য হয়ে পড়েছে।

বর্ণিত অবস্থার প্রেক্ষিতে, প্রস্তাবিত বিলে প্রথম, দ্বিতীয় ও তৃতীয় শ্রেণির ম্যাজিস্ট্রেটের অর্থদণ্ড প্রদানের এখতিয়ার উল্লেখযোগ্য হারে বৃদ্ধি করে যথাক্রমে ৫,০০,০০০/- (পাঁচ লক্ষ) টাকা, ৩,০০,০০০/- (তিন লক্ষ) টাকা ও ২,০০,০০০/- (দুই লক্ষ) টাকা করার প্রস্তাব করা হয়েছে। একইসাথে গ্রেপ্তার ও আটক সংক্রান্ত বাংলাদেশ সুপ্রীম কোর্টের নির্দেশনা বাস্তবায়নকল্পে গ্রেপ্তারকারী কর্তৃক মেমোরেন্ডাম অব অ্যারেস্ট প্রস্তুতকরণ, গ্রেপ্তারকৃত ব্যক্তির সঙ্গে আইনজীবীর সাক্ষাতের সুযোগ প্রদান, পুলিশ হেফাজতে নেওয়ার আগে ও পরে বাধ্যতামূলক স্বাস্থ্যপরীক্ষা এবং ৫৪ ধারার অপপ্রয়োগজনিত হয়রানি বন্ধে সুনির্দিষ্ট বিধান সংযুক্ত করা হয়েছে। বিচারিক প্রক্রিয়াকে আধুনিক ও গতিশীল করতে এসএমএস-এর মাধ্যমে সমন জারি এবং অনলাইনে জামিননামা দাখিলের বিধান প্রবর্তন করা হয়েছে। এছাড়া, এক মামলায় গ্রেপ্তারকৃত ব্যক্তিকে অন্য মামলায় গ্রেপ্তার দেখানোর ক্ষেত্রে ম্যাজিস্ট্রেটের বিচারিক সন্তুষ্টির বাধ্যবাধকতা, অন্তর্বর্তীকালীন তদন্ত প্রতিবেদন দাখিল এবং মামলা তদন্তের সময়সীমা নির্ধারণের মাধ্যমে তদন্ত প্রক্রিয়ায় জবাবদিহিতা নিশ্চিত করার উদ্যোগ গ্রহণ করা হয়েছে।

পাশাপাশি, হয়রানিমূলক মামলা নিরুৎসাহিত করতে ক্ষতিপূরণ ও অর্থদণ্ডের পরিমাণ বৃদ্ধি করে যথাক্রমে ২৫,০০০/- (পঁচিশ হাজার) টাকা ও ১,০০,০০০/- (এক লক্ষ) টাকা নির্ধারণ এবং আপসযোগ্য মামলাসমূহ বিকল্প বিরোধ নিষ্পত্তির লক্ষ্যে জেলা লিগ্যাল এইড অফিসে প্রেরণের বিধান রাখা হয়েছে। সর্বোপরি, বিচারিক হেফাজত বা Judicial Custody এর বিধান স্পষ্টকরণের মাধ্যমে বিচার ব্যবস্থায় অধিকতর স্বচ্ছতা আনয়নের লক্ষ্যে Code of Criminal Procedure (Amendment) Act, 2026 প্রণয়ন করা আবশ্যিক।

মোঃ আসাদুজ্জামান

ভারপ্রাপ্ত মন্ত্রী।

ব্যারিস্টার মোঃ গোলাম সরওয়ার ভূইয়া

সচিব।

মোহাম্মদ আবু ইউসুফ, উপপরিচালক (উপসচিব), বাংলাদেশ সরকারী মুদ্রণালয়, তেজগাঁও, ঢাকা কর্তৃক মুদ্রিত।

মোঃ নজরুল ইসলাম, উপপরিচালক (উপসচিব), বাংলাদেশ ফরম ও প্রকাশনা অফিস, তেজগাঁও,

ঢাকা কর্তৃক প্রকাশিত। website: www.bgpress.gov.bd