

**Criminal Appeal No. 2853 of 2025****Present:****Mr. Justice Md. Khasruzzaman****14.05.2025**

Mr. Md. Zainul Abedin, Senior Advocate with  
Mr. S.M. Shahjahan, Senior Advocate with  
Mr. A.M. Mahabub Uddin, Senior Advocate with  
Mr. Kayser Kamal, Advocate with  
Mr. Md. Zakir Hossain Bhuiyan, Advocate with  
Mr. Maksud Ullah, Advocate with  
Mr. S.M. Mahidul Islam Sajib, Advocate and  
Mr. Minhazur Rahman, Advocate and  
Mr. Sayful Aziz, Advocate

.....For the convict-appellant

Mr. Mohammad Abdul Karim, D.A.G. with  
Mr. Md. Azgarul Islam, AAG with  
Ms. Mahfuza Akhter, A.A.G. and  
Mr. Faruk Ahmed, A.A.G.

.....For the State.

Mr. Md. Ashif Hasan, Advocate

.....For the respondent No. 2

This appeal will be heard.

Records of the case be called for.

Let the realization of fine be stayed.

The preparation of the paper book is dispensed with.

After admission of the appeal, the learned Advocates  
for the appellant have prayed for interim bail by filing an  
application.

**Criminal Appeal No. 2853 of 2025**

Mr. S.M. Shahjahan, the learned Senior Advocate appearing with Mr. A.M. Mahabub Uddin, the learned Senior Advocate and Mr. Kayser Kamal, the learned Advocate and Mr. Md. Zakir Hossain Bhuiyan, the learned Advocate along with other learned Advocates of the Bar have appeared in the matter and submitted that FIR was lodged alleging that the convict appellant is the wife of the principal accused, Mr. Tarique Rahman who is the acting Chairman of the Bangladesh Nationalist Party-BNP and the principal accused concealed his wealth at the value of Taka 4,23,08,561.37. The principal accused, his wife and mother-in-law in collusion with each other did not disclose the total source of income of Taka 4,81,53,561.37, rather they hide their income while submitting their wealth statements. On this allegation the case was started. Charge sheet was submitted. During trial, 42 P.Ws. were examined. The learned Advocates have further submitted that there was no concealment of wealth and none of the prosecution witnesses in their examination-in-chief stated that any property was acquired by the

**Criminal Appeal No. 2853 of 2025**

appellant or her husband by way of illegal means and as such, the prosecution has failed to prove that the allegation of concealment of asset was acquired by the appellant by way of illegal/dishonest means. They have also submitted that the assessment of the value of the property made by the Anti-Corruption Commission is not correct and therefore, the allegation of hiding wealth or acquiring wealth allegedly disproportionate to their known source of income is not acceptable. The learned Advocates have contended that the appellant was an outstanding meritorious student and never involved herself with politics. By profession she is a doctor and was victimized politically in the case. The learned Advocates have further contended that the evidences do not contain all the ingredients required to be punished for committing offences under section 27(1) of the Anti Corruption Commission Act read with section 109 of the Penal Code and as such the prosecution totally failed to prove the case but the trial Court without assessing the material evidences on record punished the appellant and her

**Criminal Appeal No. 2853 of 2025**

husband and as such she has a fair chance of success in the appeal. They have also contended that the appellant was convicted with a short sentence and has come of a respected and renowned Muslim family, and there is a no chance of her absconding, and as such the convict appellant may kindly be enlarged on bail.

Mr. Md. Ashif Hassan, the learned Advocate for the respondent No. 2 submits that the appellant is a lady and is not the principal accused of the case and as such your lordship may consider her prayer.

I have heard the learned Advocates for the convict-appellant and the learned Deputy Attorney General and the learned Advocate for the respondent No. 2, and perused the impugned judgment and other and others relevant documents annexed with the application.

It appears that the execution of the sentence against the appellant has already been suspended for a period of 1(one) year to prefer appeal vide Gazette Notification No. 58.00.0000.085.04.002.24-338 dated 04.11.2024 issued by

**Criminal Appeal No. 2853 of 2025**

the Ministry of Home Affairs. Accordingly, she filed the present appeal. It further appears from the records that the case was initiated on an allegation of concealment of asset in the wealth statement and the convict appellant is the wife of the principal accused of the case, and an allegation of abetment/involvement in the concealment is made against her.

The question whether the convict appellant concealed her wealth in her statement or not, or she acquired any property disproportionate to her known source of income, or she abetted to conceal so, is the matter of determination of this appeal.

Considering all the aspects of the case, I am inclined to enlarge the convict appellant on bail.

Let the appellant, **Mrs. Zubaida Rahman Khan, wife of Mr. Tarique Rahman** be released on bail till disposal of the appeal subject to furnishing bail bond through her learned Advocate to the satisfaction of the learned Metropolitan Senior Special Judge, Dhaka.

**Criminal Appeal No. 2853 of 2025**

The appellant is directed to put in requisites as per Rules.

The office is directed to serve the notices upon the respondents by a special messenger at the costs of the appellant.