

IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(CRIMINAL APPELLATE JURISDICTION)

Present
Mr. Justice Md. Khairul Alam
and
Mr. Justice Md. Rafizul Islam

Criminal Appeal No. 3081 of 2026.

Tasmim Mahid Chanchal
..... Accused-appellant
-Versus-
The State
..... Respondent
Mr. Sajib Chandra Banik, Advocate,
..... For the appellant
Mr. Sikder Guljar Ahmed, Advocate
... For the respondent No.2

Heard & Judgment on: 10.09.2026

Md. Khairul Alam, J

This appeal, at the instance of the accused-appellant, is directed against the order dated 24.05.2026 passed by the learned Judge, Nari-O-Shishu Nirjatan Daman Tribunal No. 06, Dhaka, in Nari-O-Shishu Case No. 54 of 2026, arising out of Dhanmondi Police Station Case No. 13 dated 18.10.2025, corresponding to G.R. No. 228 of 2025, under section 9(Kha) of the Nari-O-Shishu Nirjatan Daman Ain, 2000 (as amended in 2025), rejecting the prayer for bail of the accused-appellant.

The relevant facts for disposal of the appeal are that respondent No. 2, as informant, lodged a First Information Report (F.I.R.) with Dhanmondi Police Station against the

accused-appellant alleging that the accused-appellant and the informant became acquainted through Facebook and subsequently developed a relationship and taking advantage of the relationship, the appellant took her to Daimasu Restaurant, Dhanmondi, and raped her in its smoking zone upon assuring her that he would marry her. The accused took vulgar photographs of her and blackmailed her to continue the relationship. On 30.08.2025, the informant met the appellant at Dhanmondi and, at about 00:20 hours on 31.08.2025, he took her to Hotel Dhanmondi Prime, where they stayed and had sexual intercourse on the assurance of marriage. Thereafter, the appellant avoided her and, when pressed, stated that his parents would not accept the relationship and threatened her. The informant subsequently complained to the Dhaka University authorities. On 15.10.2025, the date fixed for amicable settlement, the appellant stated that he would not marry her. Hence, the F.I.R. On the basis of the said F.I.R., Dhanmondi Police Station Case No. 13 dated 18.10.2025 under section 9(1) of the Nari-O-Shishu Nirjatan Daman Ain, 2000 (as amended in 2025) was initiated, which gave rise to Nari-O-Shishu Case No. 54 of 2026, corresponding to G.R. No. 228 of 2025.

On 20.10.2025, the victim was examined by a Medical Board, which opined that the victim, namely, "Mst. Sagida

Tayeba”, had signs of sexual intercourse, which were not recent and forceful, found on her body. The Medical Board also assessed her age to be about 20 years.

After holding an investigation, the police submitted a charge sheet against the accused under section 9(Kha) of the Nari-O-Shishu Nirjatan Daman Ain, 2000 (as amended in 2025). The case is now pending before the learned Judge, Nari-O-Shishu Nirjatan Daman Tribunal No. 06, Dhaka, for framing of charge.

On 23.04.2026, the accused-appellant voluntarily surrendered before the Tribunal along with a bail application. Upon hearing, the learned Judge of the Tribunal was pleased to enlarge the appellant on bail till 10.05.2026 on the ground of his examination. Thereafter, on 10.05.2026, the accused-appellant was sent to custody.

On 24.05.2026, the prayer for bail of the accused-appellant was again rejected.

Being aggrieved by and dissatisfied with the said order, the accused-appellant preferred the instant appeal.

At the time of admission of the appeal, the accused-appellant was granted ad-interim bail on the ground that his 1st Semester Final Examination of the 4th year was scheduled to be held from 14.07.2026 to 30.07.2026, and upon the oral submission that if enlarged on bail, the accused-appellant

would make an effort to settle the matter amicably. The matter was therefore fixed on 02.09.2026 for further order.

Accordingly, the matter has appeared in the list for further order. It appears that the examination of the accused-appellant has already been completed and that no amicable settlement has been arrived at between the parties.

Heard the learned Advocates for the contending parties and perused the documents on record.

Having considered the facts and circumstances of the case, we find no merit in the appeal.

Accordingly, the appeal is dismissed.

The accused-appellant is directed to surrender before the learned trial Court within 30 (thirty) days from the date of receipt of this judgment by the learned trial Court, failing which the learned trial Court shall be at liberty to secure his arrest in accordance with law.

Let a copy of this judgment be sent to the learned Court below at once.

Md. Rafizul Islam, J.

I agree.

Kashem, B.O