

IN THE SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION  
(SPECIAL ORIGINAL JURISDICTION)

Writ Petition No. 11422 of 2012

IN THE MATTER OF:

An application under Article 102 (2) (a) (i) of the  
Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Md. Aktar Hossain

....Petitioner

Versus

Government of the People's Republic of  
Bangladesh, represented by its Secretary, Ministry  
of Home Affairs, Bangladesh Secretariat, Ramna,  
Dhaka others

....Respondents

No one appears

....For the Petitioner

Mr. Md. Abid Chowdhury, DAG with

Mr. M Mohiuddin Yousuf, DAG

Mr. Monjur Elahi Porag, AAG

Mr. Ariful Alam, AAG

Mr. Nazmul Hasan Chowdhury, AAG and

Mr. Md. Shahidul Islam, AAG

.... For the respondents

Present:

Mr. Justice Md. Iqbal Kabir

And

Mr. Justice S M Saiful Islam

Judgment on 18.05.2026.

Md. Iqbal Kabir, J:

At the instance of the petitioner, this Rule Nisi was issued in the following  
terms:

“Let a Rule Nisi issue calling upon the respondents to show cause  
as to why they should not be directed not to arrest or harass the  
petitioner without due process of law and without any warrant of  
arrest issued by any competent Court after getting release from  
the Dhaka Central Jail, Dhaka and/or such other or further order  
or orders passed as to this Court may seem fit and proper.”

At the time of issuance of the Rule, this Court passed an interim order,  
thereby directing the respondents not to arrest or harass the petitioner without  
due process of law after getting release from jail.

Facts remain that the petitioner was arrested one after another without a warrant of arrest. Therefore, the action of the competent authority was challenged by the petitioners, and they sought necessary direction from this Court against such illegal action.

Mr. Nazmul Hasan Chowdhury, the learned AAG for the respondents, submits that by the interim order of this Court, the petitioners already got the relief which they had sought. The cause of invoking writ jurisdiction no longer subsists; the Rule has already become infructuous.

Records show that after obtaining the order, the petitioners did not appear before this Court.

We find substance in the submission of the learned AAG for the respondents.

Accordingly, the Rule Nisi is discharged as being infructuous.

The interim order granted at the time of issuance of the Rule is vacated.

There is no Order as to costs.

Communicate the Order at once.

S M Saiful Islam, J:

I agree.