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IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(SPECIAL ORIGINAL JURISDICTION)
WRIT PETITION NO. 2851 OF 2010.

IN THE MATTER OF:

Enforcement of fundamental rights enshrined under Articles 31, 32, 33, and 44 of the Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

An application under Article 102 (1) and 102 (2)(b)(i) of the Constitution of the People's Republic of Bangladesh 1972.

AND

IN THE MATTER OF:

Najma Begum, Wife of Selim Miah at present- 583, South Manikdi, Police Station- Cantonment, District- Dhaka, Permanent address- Village- Jagir Chandpur, Police Station- Kapashia, Post Office- Kapashia, District- Gazipur.Petitioner

-VERSUS-

1. Bangladesh represented by the Secretary, Ministry of Home Affairs, Government of Bangladesh, Bangladesh Secretariat, Raman, Dhaka.
2. Inspector General of Police , Bangladesh Police, Bangladesh Police Head Quarters, Raman, Dhaka.
3. Director General of Rapid Action Battalion, RAB Head Quarters, RRF Bhaban. Uttara, Dhaka.
4. The Deputy Commissioner, Gazipur, District- Gazipur.
5. The Police Super, Gazipur, District- Gazipur.
6. The Commander Rab-4, Paik Para, Mirpur-1, Dhaka.
7. The Officer, in Charge, Police Station- Kapasia, District- Gazipur..... Respondents.

AND

IN THE MATTER OF:

Selim Miah, son of Abdur Rashid of Jagir Chandpur, Post Office- Kapashia, Police Station- Kapashia, District- Gazipur... Detenu

AND

IN THE MATTER OF:

A direction upon the respondents to bring the detenu before the Hon'ble High Court Division so that the Hon'ble Court can be satisfied that the detenu is not being held in custody without lawful authority or in an unlawful manner.

Present:

Mr. Justice A. H. M. Shamsuddin Choudhury.

And

Mr. Justice Md. Delwar Hossain.

The 15th day of April, 2010.

Mr. Tanvie Parves, Adv,

Mr. Jahangir Alam, Adv.

.....For the petitioner,

Mr. Akram Hossain Chowdhury, D.A.G

.....For the respondents

The supplementary affidavit dated 12.04.10, form part of the main writ petition.

Let a Rule Nisi be issued, calling upon the respondent Nos. 1, 3, and 6 to show cause as to why an order, in the form of habeas corpus, directing them to produce one Selim Miah, Son of Abdur Rashid, of Jagir Chandpur, Post Office- Kapashia, Police Station- Kapashia, District- Gazipur, should not be issued.

The petitioner alleges that Selim Miah, above named, was apprehended, along with others at 7.00 a. m. on 19th February 2010, by RAB-4 unit.

The Rule is made returnable within 3(three) weeks form date.

The petitioner is directed to put in requisites for service of notice upon the respondent Nos. 1, 3 and 6 in usual course and through registered post.

S. Choudhury.

M. D. Hossain.

Baschu 5.5.2010.

Read by:

Exmn. By:

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