

RESEARCH ARTICLE

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Arbitrary Arrest and Preventive Detention in Bangladesh: Law and Practice

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Received: 28.08.2025

Accepted: 18.10.2025

Publication Date: 15.01.2026

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ISSN: 3108-6144

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Abstract

Arbitrary arrest, detention, and custodial death remain pervasive issues in Bangladesh's criminal justice system despite constitutional and statutory protections of personal liberty. This paper examines the legislative and judicial framework governing arrest and preventive detention, focusing on the systematic failures that enable persistent rights violations. Using a doctrinal-legal approach, it analyzes relevant constitutional provisions, statutory laws, particularly the Code of Criminal Procedure, 1898 and the Torture and Custodial Death (Prevention) Act, 2013, and leading judicial precedents, including the Bangladesh Legal Aid and Services Trust (BLAST) v. State case. The analysis demonstrates that while the Supreme Court of Bangladesh has issued progressive directives to curb arbitrary detention and torture, their implementation remains limited due to inadequate legislative reform and weak institutional compliance. The study further explores how judicial activism, though essential in interpreting and enforcing rights to liberty and security, has failed to produce tangible change in the absence of corresponding statutory amendments and accountability mechanisms for law enforcement agencies. The paper concludes that sustainable protection against arbitrary arrest and detention in Bangladesh requires comprehensive legislative reform aligned with constitutional guarantees and international human rights obligation, as judicial interventions alone cannot ensure effective enforcement or systematic transformation.

Keywords: *Arrest, Constitution of Bangladesh, Law enforcement agency, Detention, Criminal laws.*

Cite this article: Fahim, M. H. K. (2026). Arbitrary Arrest and Preventive Detention in Bangladesh: Law and Practice. Journal of South Asian Issues (JSAI), 1(1), 163–171. <https://doi.org/10.65826/JSAI.1.1.2026.38>



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1. INTRODUCTION

Most of the criminal legislation and procedures in Bangladesh were developed during the British era. In fact, after the British Crown assumed direct control over the Indian subcontinent in 1858, significant legislative efforts aimed at criminal justice, such as the “Penal Code 1860” and the “Code of Criminal Procedure (CrPC) 1898” were adopted. Despite minor amendments, these two laws, along with the “Police Act, 1861”, the “Evidence Act, 1872”, and the “Jail Code, 1943”, are still in effect today. The CrPC permits suspicion-based arrest, followed by detention in police custody in accordance with sections 54 and 167, with little protection. As a result, since Bangladesh gained its independence in 1971, law-enforcing authorities have continued to use arbitrary arrest, detention, and custodial torture (Alam, & Mashraf, 2023).

Until 2003, no judicial attempt was lodged to address the abuse or mistreatment of sections 54 and 167 of the CrPC 1898. On 7 April 2003, the High Court Division (HCD) of the Supreme Court of Bangladesh in *Bangladesh Legal Aid and Services Trust (BLAST) and others v. State (2003)* case (hereinafter referred as BLAST case) criticized any form of mistreatment during an arrest on suspicion or while being held in police custody and issued a set of fifteen guidelines on arrest and police remand. It stated that sections 54 and 167 of the Code are “to some extent inconsistent” with the terms of the Constitution and, as a result, put out a number of reform suggestions. The Bangladesh Government appealed the ruling in the BLAST case to the Appellate Division of the Supreme Court, and on appeal, the Appellate Division upheld the ruling of the HCD with a few amendments developing a set of duties and guidelines for law enforcement agencies and courts (Rana & Dhanapal, 2020). At the appeal hearing, the Appellate Division stated that “it is strange and unacceptable that even after a long period of delivering the judgment, these guidelines are not being fully followed and the abuse of authority continues unabated. It is even worse that many law enforcement agency employees are not yet clear about the court’s rules.”

According to the Report of Amnesty International (2024), details widespread issues like anonymous incarceration, widespread arrests of students and protestors, and widespread vulnerabilities like lack of access to legal counsel. This is also supported by the report of Human Rights Watch (2024) as it examines comparative violations, namely targeting political opposition and making arrests during elections. In addition, more information can be found in the US Department of State’s Country Reports on Human Rights Practices (2023/2024), which highlights laws like the Special Powers Act that are often applied in ways that lead to challenges with due process and rule of law. In their annual reports (2023-2024), local civil society organizations; particularly ‘*Odhikar*’ and the World Organization Against Torture also provide insightful information and testimonies that help close knowledge gaps regarding the actual experiences of detainees and arrests that take place outside of formal legal proceedings.

On the legislative and policy level, a number of laws and proposed legislation have a significant impact on the upholding or weakening of protections against arbitrary detention. The Special Powers Act, 1974 is still crucial because it gives the administration broad authority and imposes minimal procedural restrictions on preventative detention, two things that have been frequently criticized in reports. The Digital Security Act, 2018 has also come under fire for having excessive arrest and search authority, particularly when they are applied to suppress opposition. Meanwhile, official statements and public and media conversations, particularly in the context of protests and foreign criticism, point to proposals to change or repeal the Special Powers Act or to reform or limit some of the powers under the current preventive detention statute. Although access to whole decisions is a little unjust, judicial documents offer insights into how these laws are actually enforced in practice. In case of purportedly illegal or politically motivated incarceration, the HCD often considers writ petitions under Article 102(2) seeking habeas corpus or release orders (Hossain, 2025). Numerous HCD rulings during the 2023-2024 protests called for the production of detainees, denounced abuses by law enforcement, or granted

temporary reprieve. Many orders, however, are either unpublished or just summarized, making it more complex to systematically evaluate consistency, the effectiveness of remedies, and whether executive compliance with court orders is taking place.

2. RESEARCH QUESTIONS

This paper addresses two central research questions, namely:

- To what extent do existing constitutional and statutory safeguards prevent arbitrary arrest and detention in Bangladesh?
- How effective has judicial activism been in ensuring compliance with these safeguards in the absence of legislative reform?

While other studies have examined preventive detention laws and the misuse of arrest powers, this paper advances the discussion by integrating constitutional, statutory, and judicial perspectives to demonstrate the limits of judicial intervention without concurrent legislative amendment. It contributes original analysis by linking the persistent ineffectiveness of court directives to systemic deficiencies in legal reform and enforcement, thereby highlighting the urgent need for a coordinated doctrinal and institutional approach to protecting personal liberty in Bangladesh.

3. METHODOLOGY

The paper follows a doctrinal legal research approach, primarily relying on the analysis of statutes, constitutional provisions, judicial decisions, and relevant secondary literature to understand the legal regulation of arrest and preventive detention in Bangladesh. This research is confined to national legal instruments, particularly the Constitution of Bangladesh, the Code of Criminal Procedure, 1898, and the Torture and Custodial Death (Prevention) Act, 2013, along with pertinent international human rights treaties ratified by Bangladesh.

The study emphasizes leading judicial precedents from the Supreme Court of Bangladesh, especially the *Bangladesh Legal Aid and Services Trust (BLAST) v. State* case and subsequent rulings interpreting sections 54 and 167 of the CrPC, to assess the evolution of judicial activism in this area. Cases were selected based on their doctrinal significance, influence on legal reform, and relevance to the prevention of arbitrary arrest, detention, and custodial torture. The scope of the paper is limited to the doctrinal and institutional dimensions of the issue rather than empirical or field-based assessments of law enforcement practices.

4. ARREST, DETENTION AND INVESTIGATION: LEGAL FRAMEWORK IN BANGLADESH

In Bangladesh, a police officer has been provided with enormous authority under Section 54 of the CrPC in arresting without a warrant if there remains reasonable suspicion and credible information against any person involved with any cognizable offence. Since the terms “reasonable suspicion” and “credible information” are not defined in the CrPC, there is room for abuse by police (Rana & Dhanapal, 2020). Moreover, the phrase “remand” is not clarified promptly in the CrPC, but section 167 empowers a concerned Judicial Magistrate to “detain” the accused in the detention of the police. Notably, in Bangladesh, involuntary methods of extracting confessions as well as confessions made while in police custody are illegal unless they are made to a magistrate. Article 35(4) of the Bangladesh Constitution prohibits self-incrimination, while Article 35(5) particularly states that “no person shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment.” Another well-known legislation is the “Special Powers Act, 1974” which permits the “preventive detention” of individuals to stop them from engaging in “any prejudicial act” that the executive department deems harmful to the interests of

the nation, even if they have not yet done so.

In terms of arrest and detention, Articles 27, 31, 33, and 35 of the Constitution of Bangladesh provide the most significant protections. A variety of fundamental rights such as personal liberty (Article 32), equal protection under the law (Article 27), and due process of law (Article 31), can surely be violated by arbitrary arrest and detention and under Article 102 of the Bangladesh Constitution, a person being aggrieved by such unlawful arrest can prefer a writ petition to the HCD to challenge an arbitrary arrest or detention. Article 33 stipulates four protections for a person detained under ordinary law, such as “the right to be informed of the charges against him or her, to consult with and be represented by a lawyer of one’s choice, to appear before the closest magistrate within 24 hours of detention, and not to be held in custody for more than 24 hours without a magistrate’s permission.” Several sections of the CrPC 1898 contain some of these protections. The Code, however, does not include two fundamental rights such as “to know the charge” and “to speak with a lawyer of one’s choice”. (Rana, Salman & Dhanapal, 2021).

Criminal investigations in Bangladesh are generally handled by the police force since there is no separate investigating body (Uddin, 2017). The “Constitution”, the “CrPC, 1898”, the “Criminal Rules and Orders, 2009”, the “Police Act, 1861”, the “Police Regulations, 1943”, and pertinent judicial precedents must all be followed by an investigation officer. In conclusion, the CrPC 1898 authorizes the extraction of information by retaining an accused in police detention under remand with the permission of the empowered Magistrate and permits an individual to be custodied for a longer duration than specified in the constitutional safeguards mentioned earlier. However, the broad and undefined language of sections 54 and 167 of the CrPC significantly undermines the constitutional guarantees enshrined in Articles 31 and 33 of the Constitution of Bangladesh. By allowing arrest based merely on “reasonable suspicion” and remand without precise limits or judicial scrutiny, these provisions enable arbitrary deprivation of liberty in direct conflict with the constitutional right to due process and protection from unlawful detention (Rana, Salman & Dhanapal, 2021). The absence of clear statutory definitions or procedural safeguards dilutes the intent of Article 31 which ensures equal protection and security under the law and weakens the assurance of Article 33 that no person shall be detained without being informed of the reasons or denied access to legal counsel. Thus, the ambiguities in the CrPC not only facilitate police discretion but also create a structural gap between constitutional ideals and actual practice, perpetuating the cycle of arbitrary arrest and custodial abuse in Bangladesh.

5. CONSTITUTIONAL AND STATUTORY ARRANGEMENTS DETERRING ARBITRARY ARREST, DETENTION AND TORTURE

The constitutional law serves as the best benchmark for determining the fairness and reasonability of existing laws and at this point the Constitution of Bangladesh in Article 33 narrates that “no one who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice.” Additionally, acts that constitute torture are particularly outlawed by Article 37 of the Bangladesh Constitution. Notably, in 1998, Bangladesh ratified the “Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984”, but until the enactment of the “Torture and Custodial Death (Prevention) Act, 2013”, there was no approach to enact national legislation in complying with the obligations of the Convention.

The “Torture and Custodial Death (Prevention) Act, 2013” specifies two primary offences, such as “torture by a law enforcement officer”, and “custodial death” as a result of torture, since it views torture as a grave violation of basic human rights (Hasan et al., 2017). All forms of torture under Section 10 of the Act are now considered cognizable, non-compoundable, and non-bailable offences, which are equally applicable to all law enforcement organizations. Sections 4 and 5 of the Act illustrate that when someone is brought before a court and claims to have been tortured, the court is required to record the his/her statement right away, provide a copy to the police, and order that a case be launched. Then, the

police officer gets three months to finish their investigation. In addition, the Act states that the family of victims or they themselves may file a petition to the court for protective orders. If a defendant is found guilty, the relatives of the victim may be entitled to financial compensation under Section 25 of the “Torture and Custodial Death (Prevention) Act, 2013”. This Act permits judicial magistrates to take cognizance of an offence without waiting for the lodging of a case if a medical report indicates that the person was tortured or died as a result of torture, but no such case has been reported (Bari, 2017).

The Act permits judicial magistrates to take cognizance of an offence without waiting for the lodging of a case if medical evidence indicates that a person was tortured or died as a result of torture. However, in practice, very few prosecutions have occurred under the Torture and Custodial Death (Prevention) Act, 2013, and convictions remain extremely rare. Indeed, allegations of custodial torture are often ignored or inadequately investigated, reflecting a lack of institutional willingness to apply the Act against members of law enforcement. Notably, India’s judicial framework, through cases like *D.K. Basu v. State of West Bengal* (1997), has embedded procedural safeguards, such as mandatory arrest memos and judicial oversight into national practice (Rai & Vaidya, 2023). Besides, Pakistan’s Torture and Custodial Death (Prevention and Punishment) Act 2022 represents a more recent statutory attempt to criminalize custodial torture with clearer prosecutorial mechanisms (Adil, 2024). The comparative experience underscores that although Bangladesh has enacted strong legislation, its effectiveness depends on active enforcement and consistent judicial monitoring, areas where progress has been limited.

6. JUDICIAL PRECEDENTS ON UNLAWFUL TORTURE, ARBITRARY ARREST AND DETENTION

The BLAST case is the most significant legal ruling in preventing arbitrary arrest and detention and protecting citizens from torture. In this case, the HCD provided specific recommendations and offered an interpretation of several provisions of the CrPC regarding arrest and detention. The key point of the ruling was how the word “concerned” should be interpreted in Section 54 of the CrPC (Rana & Dhanapal, 2020). The court pointed out that the phrase “concerned”, which is ambiguous, provides a police officer free rein to arrest and detain anyone. It was stated by the HCD that “...Use of the expression ‘reasonable suspicion’ implies that the suspicion must be based on reasons and reasons are based on the existence of some fact which is within the knowledge of that person”. So, when the police officer arrests a person without a warrant, he must have some knowledge of some definite facts on the basis of which he can have reasonable suspicion (Bari, 2017). Consequently, the HCD observed that “in order to safeguard the life and liberty and to limit the power of the police, the word ‘concerned’ is to be substituted by any other appropriate word.”

In addition, the HCD ruled that whatever constitutes a “reasonable suspicion” has to depend on the circumstances of each particular instance, but it must at least be grounded in a certain instance that raises suspicion about the arrested person and not just a generalized assumption. In one instance, a Daily Star news article revealed that an individual had been placed under remand and was still considered a “under-trial inmate” after eleven years of detention. Through public interest litigation, legal aid institutions such as Ain o Salah Kendra (ASK) and the Bangladesh Legal Aid Services Organization contested the illegality of such violations of human rights (Hossen, 2022). The HCD observed that it was unlawful for the individuals to be detained indefinitely in infringement of their fundamental rights, which are guaranteed by Articles 31, 32, 35 (1), and 36 of the Constitution of Bangladesh. Despite its landmark directives, the BLAST judgment has seen minimal enforcement in practice. Law enforcement agencies continue to exercise wide discretionary powers, often disregarding the guidelines on arrest and remand. The government’s failure to incorporate the court’s recommendations into statutory reform has rendered these judicial safeguards largely declaratory rather than operational.

In the case of *ASK, BLAST, and Karmojibi Nari v. Bangladesh and others* (2009), the HCD ruled that extra-judicial murder by law enforcement authorities under the falsehood of “crossfire” or “encounter” is completely unlawful and that the appropriate authorities should be instructed to pursue departmental

and criminal charges against those who carry out such killings (Mollah, 2019). Furthermore, The Rapid Action Battalion (RAB) and other Special Forces in Bangladesh are accused of abusing and torturing in detention, as well as killing people (Bari, 2022). Although the High Court's ruling in this case explicitly outlawed "crossfire" killings and called for criminal accountability, the enforcement outcome has been negligible. No significant prosecutions or institutional reforms followed, and extra-judicial executions by special forces such as the RAB persist, reflecting a gap between judicial pronouncements and executive compliance.

In *AHM Abdullah v State and others* (2005), the HCD additionally stated unequivocally that ordinary people lack the means and capacity to challenge police abuses and bring such matters before the court in order to seek remedies. The decision acknowledged citizens' limited access to justice and the need for state responsibility in curbing police abuse. Yet, in practice, the barriers to filing cases against law enforcement remain high due to fear of reprisal and procedural delays, leaving the judgment's intent unfulfilled.

For instance, in *Human Rights and Peace for Bangladesh (HRPB) v. Government of Bangladesh* (2006), the HCD mandated that law enforcement organizations, particularly the RAB, adhere to the guidelines of the CrPC while arresting people. Additionally, it instructed the RAB to guarantee the protection and safety of those under their care who are being detained. While this case reaffirmed the judiciary's oversight role and required adherence to arrest guidelines, subsequent monitoring or follow-up mechanisms were never institutionalized. The lack of periodic compliance review has meant that such rulings rarely translate into behavioral or procedural change among officers.

Given that police remand often involves the use of torture, despite its illegality, the apex judiciary has attempted to restrict the authority of the magistrate in such cases. In the *Saifuzzaman v. State and others* (2004) case, the accused had already suffered police remand twice. The HCD ordered the respondents to refrain from seeking further remand of the accused and directed that he not be subjected to any sort of physical torture while on remand. Both cases advanced important procedural safeguards against custodial torture and emphasized the judge's duty of inquiry. Yet, these judicial standards have not become part of routine judicial or police practice, and judges often approve remand without investigation prior treatment of the accused.

The HCD ruled in *State v. Abul Hashem* (1998) that the Magistrate who recorded the confession had an obligation to inquire about the treatment of police with the accused inside the police station and the circumstances concerning the confession after the accused had been detained for two days. The record also revealed that the Magistrate failed to disclose to the accused that he was a Magistrate rather than a police officer. In the BLAST case, the HCD noted that "it is difficult to prove by the victim's relatives as to who caused the death if the death takes place in police custody or prison." At this point, the HCD recommended revising the specific sections of the "Evidence Act, 1872" such that, if an individual dies at police custody or in prison for the purpose of questioning, the police official who made the arrest or kept the accused in custody must provide an explanation for the death and supply evidence to support the explanation.

The Appellate Division sustained the judgment of the HCD in the BLAST case following rigorous hearings and protracted arguments that lasted more than 12 years (Bari, 2022). The Appellate Division noted that the "Torture and Custodial Death (Prevention) Act, 2013" rendered most of the HCD's recommendations obsolete. Thus, the Appellate Division developed new duties and policies for all levels of law enforcement regarding the arrest of suspects. The Appellate Division declared that there can never be unrestricted and unreviewable discretion, and that the discretion of the executive department should be kept within well-defined bounds.

The Appellate Division did not forget to mention the "United Nations Principles for the Protection of All Persons under any form of Detention or Imprisonment 1988" and the "United Nations Code of

Conduct for Law Enforcement Officials 1979”. Moreover, the Appellate Division referred to the “1948 Universal Declaration of Human Rights”, the “1966 International Covenant on Civil and Political Rights”, and the “1984 Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment” for gaining a wider realization of the critical issues raised in the case. The Appellate Division further claims that it was “high time” to enact a new Criminal Code because the current one is quite ineffective for administering criminal justice proceedings (Rana & Islam, 2021). A series of recommendations regarding arrests and taking cognizance of offences was also made available by the Appellate Division to law enforcement, magistrates, and judges of criminal courts. The guidelines for law enforcement agencies specifically state that they are bound to “create a memorandum of arrest immediately; notify the closest relative of the detained person within twelve hours of the arrest; record the reason for the arrest in the diary; register a case against the arrested individual; reveal the identity of the arresting officer; document any injuries sustained; permit the detained person to speak with a lawyer of their choosing; and hold the law enforcement officer accountable if the investigation is not finished within 24 hours.”

Taken together, these precedents reveal a consistent pattern of judicial activism aimed at constraining arbitrary arrest and torture, yet one that remains largely ineffective in practice. The Supreme Court of Bangladesh has repeatedly articulated robust constitutional principles to protect personal liberty, but the abuse of legislative incorporation, institutional accountability, and executive cooperation has neutralized much of this progress. The overall judicial trend shows an aspirational commitment to human rights and due process, but without complementary statutory reform and administrative enforcement, such judicial interventions function more as moral pronouncements than as instruments of systemic change.

7. CONCLUSION

Arbitrary arrest, detention, and custodial torture in Bangladesh persist largely because of outdated criminal procedure laws, weak institutional accountability, and the absence of human rights awareness among law enforcement officers (Ullah & Sagor, 2018). Although the Supreme Court of Bangladesh has repeatedly intervened through landmark rulings such as Bangladesh Legal Aid and Services Trust (BLAST) v. State, judicial activism alone has proven insufficient without corresponding legislative and administrative reforms. To translate judicial directives into tangible protection of personal liberty, three concrete reforms are essential. Firstly, section 54 and 167 of the CrPC should be comprehensively revised to narrow the scope of arrest without warrant, clarify the meaning of “reasonable suspicion”, and ensure judicial scrutiny of police remand. Aligning these provisions with constitutional guarantees and international human rights standards would remove the legal ambiguities that enable abuse. Secondly, a statutory body should be created to monitor compliance with judicial guideline and investigate allegations of custodial torture and unlawful detention. This body should have the authority to recommend disciplinary and criminal actions against violators. Lastly, there should be regular and institutionalized training for police, judges, and prison officials should be introduced to promote awareness of constitutional rights, custodial safeguards, and international obligations. Notably, without such legislative reform, institutional oversight, and professional training, judicial activism will remain largely symbolic and ineffective in curbing arbitrary arrest and detention in Bangladesh.

Acknowledgements

Not Applicable.

Declaration of Competing Interest

No conflicts of interest.

Declaration of Generative AI and AI-assisted technologies in the writing process

While preparing this work, the author used Grammarly to improve the manuscript's readability and language. After using these tools, the author reviewed and edited the content as needed and take full responsibility for the content of the published article.

Funding

No funding.

REFERENCES

- Adil, K. (2024). Torture Law and the Criminal Justice System in Pakistan. *Pakistan Journal of Criminology*, 16(3), 1427-1432. Available at <https://www.pjcriminology.com/wp-content/uploads/2024/06/92-Torture-Law-and-the-Criminal-Justice.pdf>
- Afroze, R. & Abid, M. A. (2022). Human Rights Violations in Bangladesh and the Role of Law Enforcement Agencies: A Critical Analysis. *International Journal of Research and Innovation in Social Science*, 4(5), 658-664. DOI: [10.47772/IJRISS.2022.6536](https://doi.org/10.47772/IJRISS.2022.6536)
- AHM Abdullah v. State and others* [2005] 25 BLD 384 (HCD).
- Alam, J. & Mashraf, A. (2023). Fifty Years of Human Rights Enforcement in Legal and Political Systems in Bangladesh: Past Controversies and Future Challenges. *Human Rights Review*, 24, 121-142. DOI: [10.1007/s12142-023-00679-3](https://doi.org/10.1007/s12142-023-00679-3)
- Amnesty International Report. (2024). *Bangladesh: thousands of protesters arrested arbitrarily*. Available at <https://www.amnesty.org/en/documents/asa13/8388/2024/en/?>
- Amnesty International Report. (2024). *Bangladesh: End impunity for torture and uphold victims' right to reparation*. Available at <https://www.amnesty.org/en/latest/news/2024/06/bangladesh-end-impunity-for-torture-and-uphold-victims-right-to-reparation/?>
- ASK, BLAST, and Karmojibi Nari v. Bangladesh and others* [2009] Writ Petition No. 4152 of 2009. Cited in AKS: www.askbd.org/web/?p1506
- Bangladesh Legal Aid and Services Trust (BLAST) and others v. Bangladesh* [2003] 55 DLR 363 (HCD).
- Bangladesh v. Bangladesh Legal Aid Services Trust (BLAST) and others* [2016] (Civil Appeal no.53 of 2004).
- Bari, M. E. (2017). Preventive detention laws in Bangladesh and their increased use during emergencies: a proposal for reform. *Oxford University Commonwealth Law Journal*, 17(1), 45-74. DOI: [10.1080/14729342.2017.1306943](https://doi.org/10.1080/14729342.2017.1306943)
- Bari, M. E. (2022). Extrajudicial Killings in Bangladesh: Exploring the Phenomenon of Human Rights Violations as a Means of Marinating Power. *Emory International Law Review*, 36(1), 33-79. Available at: <https://scholarlycommons.law.emory.edu/eilr/vol36/iss1/3>
- D.K. Basu v. State of West Bengal* [1997] AIR 1997 SC 610.
- Hasan, M., Arifuzzaman, M. & Rahaman, M. M. (2017). Torture in Lawful Custody: Violation of United Nations Convention against Torture in Criminal Justice System in Bangladesh. *Beijing Law Review*, 8, 397-422. DOI: [10.4236/blr.2017.84022](https://doi.org/10.4236/blr.2017.84022)
- Hossain, M. J. (2025). Preventive detention & section 54 of the Code of Criminal Procedure: the

- violation of human rights in Bangladesh. *International Journal of Research and Innovation in Social Science*, 9(1), 4751-4765. DOI: [10.47772/IJRISS.2025.9010365](https://doi.org/10.47772/IJRISS.2025.9010365)
- Hossen, M. F. (2022). Constitutionalizing Preventive Detention in Bangladesh: An Unconstitutional But Effective Means To Curtail Individual Liberty. *Commonwealth Law Review Journal*, 8, 254-266. DOI: [10.55662/CLRJ.2022.827](https://doi.org/10.55662/CLRJ.2022.827)
- Human Rights and Peace for Bangladesh (HRPB) and others v. Bangladesh and others [2012] 41 CLC (HCD).
- Mollah, M. A. H. (2019). Crossfire and Violation of Human Rights in Bangladesh: A Critical Review. *International Journal of Law Crime and Justice*, 2, 385-397. DOI: [10.36348/sijlcj.2019.v02i11.007](https://doi.org/10.36348/sijlcj.2019.v02i11.007)
- Rai, A. & Vaidya, S. P. (2023). Case Comment: Unveiling the Justice Veil: How D.K. Basu v State of West Bengal exposed Police Brutality in Custody and Ensured Fundamental Rights? *Jus Corpus Law Journal*, 3(3), 115-122. Available at <https://www.juscorpus.com/wp-content/uploads/2024/02/120.-Aman-Rai-and-Sai-Prasad-of-Vaidya.pdf>
- Rana, E. K. & Islam, M. J. (2021). NGO Discourses of Extrajudicial Killings and Enforced Disappearances in Bangladesh. *International Journal of Criminal Justice Sciences*, 16(1), 110-126. DOI: 10.5281/zenodo.4764157
- Rana, M. S. & Dhanapal, S. (2020). Arrest Without Warrant in Bangladesh: Law in Books Versus Law in Action. *International Journal of Criminal Justice Sciences*, 15(2), 298-311. DOI: 10.5281/zenodo.4741534
- Rana, M. S., Salman, N. W. & Dhanapal, S. (2021). Legal Framework of Arrest and Post-Arrest Safeguards: A Comparative Analysis as to the Laws of Bangladesh, India, and the United Kingdom. *IIUM Law Journal*, 29(2), 363-386. DOI: 10.31436/iiumlj.v29i2.645
- Saifuzzaman v. State and others* [2004] 56 DLR 342 (HCD).
- Sarkar, A. (2020). *Custodial deaths: Law there, victims afraid to file cases*. The Daily Star. Available at <https://www.thedailystar.net/frontpage/news/custodial-deaths-torture-law-there-victims-afraid-file-cases-1958141?>
- State v. Abul Hashem* [1998] 50 DLR 17 (HCD).
- Uddin, M. K. (2017). Human Rights Abuses in Bangladeshi Policing: the Protection Capacity of National Human Rights Commission. *Human Rights Review*, 18, 209-226. DOI: 10.1007/s12142-017-0449-3
- Ullah, A. A. & Sagor, L. (2018). Overpowering the law enforcing agency and human rights challenges. *BORDERCROSSING*, 8(1), 181-199. DOI: 10.33182/bc.v8i1.579