



- Todays Topic: 01
- Offences Against the State
- Flip Class Activities

- Topic No : 02
- Offences Relating to Army Navy Air Forces
- Flip Class Activities

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OF OFFENCES AGAINST THE STATE

Sec. 121. Waging or attempting to wage war, or abetting waging of war, against Bangladesh.—Whoever wages war against Bangladesh, or attempts to wage such war, or abets the waging of such war, shall be punished with death, or imprisonment for life, and shall also be liable to fine.

Illustration

A joins an insurrection against Bangladesh. A has committed the offence defined in this section.

Sec. 121A. Conspiracy to commit offences punishable by section 121.—Whoever within or without Bangladesh conspires to commit any of the offences punishable by section 121, or to deprive Bangladesh of the sovereignty of her territories or of any part thereof, or conspires to overawe, by means of criminal force or the show of criminal force, the Government, shall be punished with imprisonment for life or with imprisonment of either description which may extend to ten years, and shall also be liable to fine.

Explanation.—To constitute a conspiracy under this section, it is not necessary that any act or illegal omission shall take place in pursuance thereof.

Sec. 122. Collecting arms, etc with intention of waging war against Bangladesh.

Whoever collects men, arms or ammunition or otherwise prepares to wage war with the intention of either waging or being prepared to wage war against Bangladesh, shall be punished with imprisonment for life or imprisonment of either description for a term not exceeding ten years, and shall also be liable to fine.

Sec. 123. Concealing with intent to facilitate design to wage war.—Whoever, by any act, or by any illegal omission, conceals the existence of a design to wage war against Bangladesh, intending by such concealment to facilitate, or knowing it to be likely that such concealment will facilitate the waging of such war, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Sec. [123A. Condemnation of the creation of the State, and advocacy of abolition of its sovereignty.

(I) Whoever, with or without Bangladesh, with intent to influence, or knowing it to be likely that he will influence, any person or the whole or any section of the public, in a manner likely to be prejudicial to the safety of Bangladesh, or to endanger the sovereignty of Bangladesh in respect of all or any of the territories lying within its borders, shall by words, spoken or written, or by signs or visible representation, condemn the creation of Bangladesh [in pursuance of the Proclamation of Independence on the twenty-sixth day of March, 1971], or advocate the curtailment or abolition of the sovereignty of Bangladesh in respect of all or any of the territories lying within its borders, whether by amalgamation with the territories of neighboring States or otherwise, shall be punished with rigorous imprisonment which may extend to ten years and shall also be liable to fine.

(2) Notwithstanding anything contained in any other law for the time being in force, when any person is proceeded against under this section, it shall be lawful for any Court before which he may be produced in the course of the investigation or trial, to make such order as it may think fit in respect of his movements, of his association or communication with other persons, and of his activities in regard to dissemination of news, propagation of opinions, until such time as the case is finally decided.]

(3) Any Court which is a Court of appeal or of revision in relation to the Court mentioned in sub-section (2) may also make an order under that sub-section.]

Sec. 124. Assaulting President, The Government, etc, with intent to compel or restrain the exercise of any lawful power.— Whoever, with the intention of inducing or compelling the President of Bangladesh, or the Government, to exercise or refrain from exercising in any manner any of the lawful powers of the President or the Government,

assaults or wrongfully restrains or attempts wrongfully to restrain or overawes, by means of criminal force or the show of criminal force or attempts so to overawe, the President, [* * *],

shall be punished with imprisonment of either description for a term which may extend to seven years and shall also be liable to fine.

Sec. 124A. Sedition.—

Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, the Government established by law shall be punished with imprisonment for life or any shorter term, to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine.

Explanation 1.—The expression "disaffection" includes disloyalty and all feelings of enmity.

Explanation 2.—Comments expressing disapprobation of the measures of the Government with a view to obtain their alteration by lawful means, without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.

Explanation 3.—Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.



Sec. 125. Waging war against any Asiatic Power in alliance with Bangladesh.—Whoever wages war against the Government of any Asiatic power in alliance or at peace with Bangladesh or attempts to wage such war or abets the waging of such war, shall be punished with imprisonment for life, to which fine may be added or with imprisonment of either description for a term which may extend to seven years, to which fine may be added or with fine.

Sec. 126. Committing depredation on territories of Power at peace with Bangladesh.—Whoever commits depredation, or makes preparations to commit depredation, on the territories of any Power in alliance or at peace with Bangladesh, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine and to forfeiture of any property used or intended to be used in committing such depredation, or acquired by such depredation.

Sec. 127. Receiving property taken by war or depredation mentioned in sections 125 and 126.—Whoever receives any property knowing the same to have been taken in the commission of any of the offences mentioned in sections 125 and 126, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine and to forfeiture of the property so received.

Sec. 128. Public servant voluntarily allowing prisoner of State or war to escape.—Whoever, being a public servant and having the custody of any State prisoner or prisoner of war, voluntarily allows such prisoner to escape from any place in which such prisoner is confined, shall be punished with imprisonment for life or imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

Sec. 129. Public servant negligently suffering such prisoner to escape.—Whoever, being a public servant and having the custody of any State prisoner or prisoner of war, negligently suffers such prisoner to escape from any place of confinement in which such prisoner is confined, shall be punished with simple imprisonment for a term which may extend to three years, and shall also be liable to fine.

Sec. 130. Aiding escape of, rescuing or harbouring such prisoner.—Whoever knowingly aids or assists any State prisoner or prisoner of war in escaping from lawful custody or rescues or attempts to rescue any such prisoner or harbours or conceals any such prisoner who has escaped from lawful custody or offers or attempts to offer any resistance to the recapture of such prisoner shall be punished with imprisonment for life or with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

Explanation.—A State prisoner or prisoner of war, who is permitted to be at large on his parole within certain limits in Bangladesh, is said to escape from lawful custody if he goes beyond the limits within which he is allowed to be at large.



CHAPTER VII

OF OFFENCES RELATING TO THE ARMY, NAVY AND AIR FORCE

Sec. 131. Abetting mutiny, or attempting to seduce a soldier, sailor or airman from his duty.—Whoever abets the committing of mutiny by an officer, soldier, sailor or airman, in the Army, Navy or Air Force of Bangladesh or attempts to seduce any such officer, soldier, sailor or airman from his allegiance or his duty, shall be punished with imprisonment for life or with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

Explanation.—In this section the words "officer", "soldier", "sailor" and "airman" include any person subject to the Army Act, 1952 or the [Navy Ordinance](#), 1961 or the [Air Force Act](#), 1953, as the case may be.

Sec. 132. Abetment of mutiny, if mutiny is committed in consequence thereof.—Whoever abets the committing of mutiny by an officer, soldier, sailor or airman, in the Army, Navy or Air Force of Bangladesh, shall, if mutiny be committed in consequence of that abetment, be punished with death or with imprisonment for life or imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

Sec. 133. Abetment of assault by soldier, sailor or airman on his superior officer, when in execution of his office.—Whoever, abets an assault by an officer, soldier, sailor or airman, in the Army, Navy or Air Force of Bangladesh, on any superior officer being in the execution of his office, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

Sec. 134. Abetment of such assault, if the assault is committed.—Whoever, abets an assault by an officer, soldier sailor or airman, in the Army, Navy or Air Force of Bangladesh, on any superior officer being in the execution of his office, shall, if such assault be committed in consequence of that abetment be punished with imprisonment of either description for a term which may extend to seven years, and shall be liable to fine.

Sec. 135. Abetment of desertion of soldier, sailor or airman.—Whoever abets the desertion of any officer, soldier, sailor or airman, in the Army, Navy or Air Force of Bangladesh, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Sec. 136. Harboursing deserter.—Whoever, except as hereinafter excepted, knowing or having reason to believe that an officer, soldier, sailor or airman, in the Army, Navy or Air Force of Bangladesh, has deserted, harbours such officer, soldier, sailor or airman, shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both.

Exception.—This provision does not extend to the case in which the harbour is given by a wife to her husband.

Sec. 137. Deserter concealed on board merchant vessel through negligence of master.—The master or person in charge of a merchant vessel, on board of which any deserter from the Army, Navy or Air Force of Bangladesh is concealed, shall, though ignorant of such concealment, be liable to a penalty not exceeding five hundred taka if he might have known of such concealment but for some neglect of his duty as such master or person in charge, or but for some want of discipline on board of the vessel.



Sec. 138. Abetment of act of insubordination by soldier, sailor or airman.

Whoever abets what he knows to be an act of insubordination by an officer, soldier, sailor or airman, in the Army, Navy or Air Force of Bangladesh, shall, if such act of insubordination be committed in consequence of that abetment, be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.

Sec. 138A. [Repealed]

Sec. 139. Persons subject to certain acts.—No person subject to the [Army Act](#), 1952, the Navy Ordinance, 1961, the [Air Force Act](#), 1953, is subject to punishment under this Code for any of the offences defined in this Chapter.

Sec. 140. Wearing garb or carrying token used by soldier, sailor or airman.

Whoever, not being a soldier, sailor or airman in the Military, Naval or Air service of Bangladesh, wears any garb or carries any token resembling any garb or token used by such a soldier, sailor or airman with the intention that it may be believed that he is such a soldier, sailor or airman, shall be punished with imprisonment of either description for a term which may extend to three months or with fine which may extend to five hundred taka or with both.



Thank
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