

*(Schedule III.-Ordinary Powers of Magistrates)***SCHEDULE III***(See section 36)***ORDINARY POWERS OF MAGISTRATES***1.- Ordinary Powers of a Magistrate of the Third class*

- (1) Power to arrest or direct the arrest of, and to commit to custody, a person committing an offence in his presence, section 64.
- (2) Power to arrest, or direct the arrest in his presence of, an offender, section 65.
- (3) Power to endorse a warrant, or to order the removal of an accused person arrested under a warrant, sections 83, 84 and 86.
- (4) Power to issue proclamations in cases judicially before him, section 87.
- (5) Power to attach and sell property and to dispose of claims to attached property in cases judicially before him, section 88.
- (6) Power to restore attached property in cases judicially before him, section 88.
- (7) Power to require search to be made for letters and telegrams, section 95.
- (8) Power to issue search-warrant, section 96.
- (9) Power to endorse a search-warrant and order delivery of thing found, section 99.
- (10) Power to command unlawful assembly to disperse, section 127.
- (11) Power to use civil force to disperse unlawful assembly, section 128.
- (12) Power to require military force to be used to disperse unlawful assembly, section 130.
- (13) (Repealed by Act XVIII of 1928).
- (14) Power to authorise detention not being detention in the custody of the police of a person during a police investigation, section 167.
- (14a) Power to postpone issue of process and inquire into case himself, section 202.
- (15) Power to detain an offender found in Court, section 351.
- (16) (Repealed by Act XXXVII of 1925).

*(Schedule III. - Ordinary Powers of Magistrates)***SCHEDULE III. - conted.***I. - Ordinary powers of a Magistrate of the Third Class- Conted.*

- (17).Power to apply to District Magistrate to issue commission for examination of witness, section 506 (2).
- (18) Power to recover forfeited bond for appearance before Magistrate's Court, section 514 and to require fresh security, section 514A.
- (18a)Power to make order as to custody and disposal of property pending inquiry or trial, section 516A.
- (19) Power to make order as to disposal of property, section 517.
- (20) Power to sell property of a suspected character, section 525.
- (21) Power to require affidavit in support of application, section 539A.
- (22) Power to make local inspection, section 539B.

*II.- Ordinary Powers of a Magistrate of the Second Class.*

- (1) The ordinary powers of a Magistrate of the third class.
- (2) Power to order the police to investigate an offence in cases in which the Magistrate has jurisdiction to try or send for trial, section 155.
- (3) Power to postpone issue of process and to inquire into a case or direct investigation, section 202.
- (4) (Repealed by Act XVIII of 1923).

*III.- Ordinary Powers of a Magistrate of the First Class.*

- (1) The ordinary powers of a Magistrate of the second class.
- (2) Power to issue search-warrant otherwise than in course of an inquiry, section 98.
- (3) Power to issue search-warrant for discovery of persons wrongfully confined, section 100.
- (4) Power to require security to keep the peace, section 107.
- (5) Power to require security for good behaviour, section 109.
- (6) Power to discharge sureties section 126A.
- (6a) Power to make orders as to local nuisances, section 133.
- (7) Power to make orders, etc, in possession cases sections 145, 146 and 147.
- (7a) to order released convicts to notify residence section 565.

*(Schedule III. - Ordinary Powers of Magistrates)*

## SCHEDULE III. - conted.

*IV- Ordinary powers of a Subdivisional Magistrate appointed under section 13.*

- (1) The ordinary power of a Magistrate of the first class.
- (2) Power to direct warrants to landholders, section 78.
- (3) Power to require security for good behaviour, section 110.
- (4) (Repealed by Act XVIII of 1923).
- (5) Power to make orders prohibiting repetitions of nuisances, sections 143.
- (6) Power to make orders under section 144.
- (7) Power to depute Subordinate Magistrate to make local inquiry, section 148.
- (8) Power to order police investigation into cognizable case, section 156.
- (9) Power to receive report of police-officer and pass order, section 173.
- (10) (Repealed by Act xviii of 1923).
- (11) Power to issue process for person within local jurisdiction who has committed an offence outside the local jurisdiction, section 186.
- (12) Power to entertain complaints, section 190.
- (13) Power to receive police-reports, section 190.
- (14) Power to entertain cases without complaint, section 190.
- (15) Power to transfer cases to a Subordinate Magistrate, section 192.
- (16) Power to pass sentence on proceedings recorded by a Subordinate Magistrate, section 349.
- (17) Power to forward record of inferior Court to District Magistrate, section 435 (2).
- (18) Power to sell property alleged or suspected to have been stolen, etc., section 524.
- (19) Power to withdraw cases other than appeals, and to try or refer them for trial, section 528.
- (20) (Repealed by Act xviii of 1923).

*(Schedule III. - Ordinary Powers of Magistrates)*

## SCHEDULE III. - conted.

*I.- Ordinary Powers of a District Magistrate*

- (1) The ordinary powers of a Subdivisional Magistrate.
- (1a) Power to try juvenile offenders, section 29B.
- (2) Power to require delivery of letters telegrams, etc. section 95.
- (3) Power to issue search-warrants for documents in custody of postal or telegraph authority, section 96.
- (4) Power to require security for good behaviour in case of sedition, section 108.
- (5) Power to discharge persons bound to keep the peace or to be of good behaviour, section 124.
- (6) Power to cancel bond for keeping the peace,
- (6a) Power to order preliminary investigation by police officer not below the rank of Inspector in certain cases, section 196B.
- (7) Power to try summarily, section 260.
- (7a) Power to tender pardon to accomplice at any stage of a case, section 337.
- (8) Power to quash convictions in certain cases, section 350.
- (9) Power to hear appeals from orders requiring security for keeping the peace or good behaviour, section 406.
- (9a) Power to hear appeals from orders of Magistrates refusing to accept or rejecting sureties, section 406A.
- (10) Power to hear or refer appeals from convictions by Magistrates of the second and third classes, section 407.
- (11) Power to call for records, section 435.
- (12) Power to order inquiry into complaint dismissed or case of accused discharged, section 436.
- 1(12a) Power to report case to the High Court Division, section 438.
- (13) Omitted by Ord. XLIX of 1978 \* \*
- (14) \* \* \* \*
- (15) (Repealed by Act xxxvii of 1925).
- (16)
- (17) Power to appoint person to be Public Prosecutor in particular case, section 492 (2).
- (18) Power to issue commission for examination of witness, sections 503 - 506.
- (19) Power to hear appeals from or revise orders passed under sections 514, 515.
- (20) Power to compel restoration of abducted female, section 552.

*(Schedule IV - Additional Powers with which Magistrate may be invested.)*

**SCHEDULE - IV**

*(See sections 37 and 38).*

**ADDITIONAL POWERS WITH WHICH MAGISTRATES MAY BE INVESTED.**

**POWERS  
WITH  
WHICH A  
MAGIS-  
TRATE OF  
THE FIRST  
CLASS  
MAY BE  
INVESTED**

**BY THE  
GOVERN-  
MENT**

- (1) Power to require security for good behaviour in case of sedition, section 108;
- (2) Power to require security for good behaviour section 110;
- (3) (Repealed by Act XVIII of 1923).
- (4) Power to make orders prohibiting repetitions of nuisances, section 143 ;
- (5) Power to make orders under section 144 ;
- (6) Repealed by Act XVIII of 1923).
- (7) Power to issue process for person within local jurisdiction who has committed an offence outside the local jurisdiction, section 186 ;
- (8) Power to take cognizance of offences upon complaint section 190 ;
- (9) Power to take cognizance of offences upon police reports, section 190 ;
- (10) Power to take cognizance of offences without complaint section 190;
- (11) Power to try summarily, section 260 ;
- (12) Power to hear appeals from convictions by Magistrates of the second and third classes section 407 ;
- (13) Power to sell property alleged or suspected to have been stolen, etc. section 524;
- (14) (Repealed by Act XVIII of 1923).
- (15) Power to try cases under section 124A of the Penal Code.

**BY THE  
DISTRICT  
MAGISTR-  
ATE.**

- (1) Power to make orders prohibiting repetitions of nuisances, section 143.
- (2) Power to make orders under section 144 ;
- (3) (Repealed by Act XVIII of 1923).
- (4) Power to take cognizance of offences upon complaint, section 190 ;
- (5) Power to take cognizance of offences upon police reports, section 190 ;
- (6) power to transfer cases, section 192.

(Schedule IV.- Additional Powers with which Magistrates may be invested.)

SCHEDULE IV - contd.

POWERS WITH WHICH A MAGISTRATE OF THE SECOND CLASS MAY BE INVESTED	BY THE GOVERNMENT	(1) (Repealed by Act IV of 1909).
		(2) Power to make orders prohibiting repetitions of nuisances section 143 :
		(3) Power to make orders under section 144 :
		(3a) Power to record statements and confessions during a police investigation, section 164 :
		(3b) Power to authorise detention of a person in the custody of the police during a police investigation, section 167 :
		(4) Power to hold inquests, section 174 :
		(5) Power to take cognizance of offences upon complaint, section 190:
		(6) Power to take cognizance of offences upon police reports a section 190 :
		(7) Power to take cognizance of offences without complaint, section 190 :
BY THE DISTRICT MAGISTRATE.	(8) Power to send for trial, section 205 C :	
	(9) Power to make order as to first offenders, section 562.	
	(1) Power to make orders prohibiting repetitions of nuisances, section 143 :	
	(2) Power to make orders under section 144 :	
	(3) Power to hold inquests, section 174 :	
POWERS WITH WHICH A MAGISTRATE OF THE THIRD CLASS MAY BE INVESTED	BY THE GOVERNMENT.	(4) Power to take cognizance of offences upon complaint, section 190 :
		(5) Power to take cognizance of offences upon police reports, section 190 :
		(1) Power to make orders prohibiting repetitions of nuisances, section 143 :
		(2) (Repealed by Act XVIII of 1923)
		(3) Power to hold inquests. section 174 :
		(4) Power to take cognizance of offences upon complaint, section 190 :
(5) Power to take cognizance of offences upon police-reports, section 190.		
(6) (Repealed by Act XVIII of 1923).		

(Schedule IV - Additional Powers with which Magistrates may be Invested. Schedule V. - Forms.)

SCHEDULE IV - contd.

POWERS WITH WHICH A SUBDIVISIO NAL MAGISTRAT E MAY BE INVESTED	BY THE DISTRICT MAGISTR ATE	(1) Power to make orders prohibiting repetitions of nuisances, section 143 : (2) Power to hold inquests section 174 : (3) Power to take cognizance of offences upon complaint, section 190 : (4) Power to take cognizance of offences upon police- reports, section 190.
	BY THE GOVERN MENT	Power to call for records, section 485.

SCHEDULE V

(See section 555)

FORMS

I. - SUMMONS TO AN ACCUSED PERSON

(See section 68)

To \_\_\_\_\_ of \_\_\_\_\_

Whereas your attendance is necessary to answer to a charge of *(state shortly the offence charged)*, you are hereby required to appear in person *(or by pleader as the case may be)* before the (Magistrate)

of \_\_\_\_\_, on the \_\_\_\_\_ day  
 of \_\_\_\_\_ . Herein fail not.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
 (Seal) \_\_\_\_\_ (Signature)

II. WARRANT OF ARREST

(See section 75)

*To (name and designation of the person or persons who is or are to execute the warrant).*

WHEREAS \_\_\_\_\_ of \_\_\_\_\_ stands charged with the offence of *(state the offence)*, you are hereby directed to arrest the said \_\_\_\_\_ and to produce him before me. Herein fail not.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18  
 (Seal) \_\_\_\_\_ (Signature)

(See section 76)

*This warrant may be endorsed as follows :*

If the said \_\_\_\_\_ shall give bail himself in the sum of \_\_\_\_\_, with one surety in the sum of \_\_\_\_\_ (or two sureties each in the sum of \_\_\_\_\_) to attend before me on the \_\_\_\_\_ day of \_\_\_\_\_ and to continue so to attend until otherwise directed by me, he may be released.

Dated \_\_\_\_\_ this day \_\_\_\_\_, 18 \_\_\_\_\_  
(Signature).

### III - BOND AND BAIL - BOND AFTER ARREST UNDER A WARRANT

*(See section 86)*

I, (name), of \_\_\_\_\_ being brought before the District Magistrate of \_\_\_\_\_ (*or as the case may be*) under a warrant issued to compel my appearance to answer to the charge of \_\_\_\_\_, do hereby bind myself to attend in the Court of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ next, to answer to the said charge and to continue so to attend until otherwise directed by the Court; and, in case of my making default herein, I bind myself to forfeit, to Government the sum of Taka \_\_\_\_\_

Dated \_\_\_\_\_ this day of \_\_\_\_\_, 18 \_\_\_\_\_  
(Signature)

I do hereby declare myself surety for the above-named \_\_\_\_\_ of, \_\_\_\_\_ that he shall attend before \_\_\_\_\_ in the Court of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ next, to answer to the charge on which he has been arrested, and shall continue so to attend until otherwise directed by the Court ; and, in case of his making default therein, I bind myself to forfeit to Government the sum to Taka \_\_\_\_\_.

Date this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_  
(Signature).

### IV PROCLAMATION REQUIRING THE APPEARANCE OF A PERSON ACCUSED

*(See section 87)*

Whereas complaint has been made before me that (*name, description and address*) has committed, (or is suspected to have committed) the offence of \_\_\_\_\_, punishable under section \_\_\_\_\_



of the Penal Code, and, it has been returned to a warrant of arrest thereupon issued that the said (*name*) cannot be found, and whereas it has been shown to my satisfaction that the said (*name*) has absconded (or is concealing himself to avoid the service of the said warrant) ;

Proclamation is hereby made that the said \_\_\_\_\_ of \_\_\_\_\_ is required to appear to (*place*) before this Court (or before me) to answer the said complaint on the \_\_\_\_\_ day of \_\_\_\_\_

Date this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_

(Seal)

(Signature)

#### V. - PROCLAMATION REQUIRING THE ATTENDANCE OF A WITNESS

(See section 87).

Whereas complaint has been made before me that (*name, description and address*) has committed (or is suspected to have committed) the offence of (*mention the offence concisely*) and a warrant has been issued to compel the attendance of (*name, description and address of the witness*) before this Court to be examined touching the matter of the said complaint : and whereas it has been returned to the said warrant that the said (*name of witness*) cannot be served, and it has been shown to my satisfaction that he has absconded (or is concealing himself to avoid the service of the said warrant) ;

Proclamation is hereby made that the said (*name*) is required to appear at (*place*) before the Court of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ of \_\_\_\_\_ next at \_\_\_\_\_ o'clock to be examined touching \_\_\_\_\_, the offence complained of,

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_

(Seal)

(Signature)

#### VI - ORDER OF ATTACHMENT TO COMPEL THE ATTENDANCE OF A WITNESS.

(See section 88)

To the Police-officer in charge of the Police-station at \_\_\_\_\_

Whereas a warrant has been duly issued to compel the attendance of (*name, description and address*) to testify concerning a complaint pending before this Court, and it has been returned to the said warrant that it cannot be served ; and whereas it has been shown to a my satisfaction that he has absconded (or is concealing himself to avoid the

service of the said warrant) ; and thereupon a Proclamation has been or is being duly issued and published requiring the said to appear and give evidence at the time and place mentioned therein,

This is to authorize and require you to attach by seizure the movable property belonging to the said to the value of Taka which you may find within the District of and to hold the said property under attachment pending the further order of this Court, and to return this warrant with an endorsement certifying the manner of its execution.

Dated this day of , 18

(Seal)

(Signature)

### ORDER OF ATTACHMENT TO COMPEL THE APPEARANCE OF A PERSON ACCUSED.

*(See section 88)*

To *(name and designation of the person or persons who is or are to execute the warrant)*.

Where complaint has been made before me *that (name, description and address)* has committed (or is suspected to have committed) the offence of punishable under section of the Penal Code, and it has been returned to a warrant of arrest thereupon issued that the said *(name)* cannot be found ; and whereas it has been shown to my satisfaction that the said *(name)* has absconded (or is concealing himself to avoid the service of the said warrant), and thereupon a Proclamation has been or is being duly issued and published requiring the said to appear to answer the said charge within days ; and whereas the said , is possessed of the following property other than land paying revenue to Government in the village (or town) of in the District of , viz., , and an order has been made for the attachment thereof :

You are hereby required to attach the said property by seizure and to hold the same under attachment pending the further order of this Court, and to return this warrant with an endorsement certifying the manner of its execution.

Dated this day of : 18

(Seal)

(Signature)

**ORDER AUTHORIZING AN ATTACHMENT BY THE DEPUTY.  
COMMISSIONER AS COLLECTOR.**

*(See section 88)*

To the Deputy Commissioner of the District of \_\_\_\_\_

Whereas complaint has been made before me that (*name, description and address*) has committed or is suspected to have committed) the offence of \_\_\_\_\_, punishable under section \_\_\_\_\_ of the Penal Code, and it has been returned to a warrant of arrest thereupon issued that the said (*name*) cannot be found; and whereas it has been shown to my satisfaction that the said (*name*) has absconded (or is concealing himself to avoid the service of the said warrant) and thereupon a Proclamation has been or is being duly issued and published requiring the said \_\_\_\_\_ to appear to answer the said charge within \_\_\_\_\_ days, \_\_\_\_\_; and whereas the said \_\_\_\_\_ is possessed of certain land paying revenue to Government in the village (or town) of \_\_\_\_\_ in the District of \_\_\_\_\_:

You are hereby authorized and requested to cause the said land to be attached, and to be held under attachment pending the further order of this Court, and to certify without delay what you may have done in pursuance of this order.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_  
(Seal) \_\_\_\_\_ (Signature)

**VII.- WARRANT IN THE FIRST INSTANCE TO BRING UP A  
WITNESS**

*(See section 90)*

To (*name and designation of the Police-officer or other person or persons who is or are to execute the warrant*).

WHEREAS complaint has been made before me that of \_\_\_\_\_ has (or is suspected to have) committed the offence of (mention the offence concisely), and it appears likely that (*name and description of witness*) can give evidence concerning the said complaint; and whereas I have good and sufficient reason to believe that he will not attend as a witness on the hearing of the said complaint unless compelled to do so:

This is to authorize and require you to arrest the said (*name*), and on the \_\_\_\_\_ day of \_\_\_\_\_ to bring him before this Court, to be examined touching the offence complained of.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_

(Seal) \_\_\_\_\_ (Signature)

## VII.- WARRANT TO SEARCH AFTER INFORMATION OF A PARTICULAR OFFENCE

(See section 96)

To *(name and designation of the Police-office or other person or persons who is or are to execute the warrant)*.

WHEREAS information has been laid (or complaint has been made) before me of the commission (or suspected commission) of the offence of *(mention the offence concisely)*, and it has been made to appear to me that the production of *(specify the thing clearly)* is essential to the enquiry now being made (or about to be made) in to the said offence (or suspected offence).

This is to authorize and require you to search for the said *(the thing specified)* in the *(describe the house or place or part thereof to which the search is to be confined)* and, if found, to produce the same forthwith before this Court, returning this warrant, with an endorsement certifying what you have done under it, immediatly upon its execution.

Given under my hand and the seal of the Court, this day of . . . ,  
18

(Seal)

(Signature)

## IX.-WARRANT TO SEARCH SUSPECTED PLACE OF DEPOSIT

(See section 98)

To *(name and designation of a Police-officer above the rank of a Constable)*

WHEREAS information has been laid before me, and on due inquiry thereupon had I have been led to believe that the *(describe the house or other place)* is used as a place for the deposit *(or sale)* of stolen property *(or if for either of the other purpose expressed in the section, state the purpose in the words of the section)*;

This is to authorize and require you to enter the said louse *(or other place)* with such assistance as shall be required, and to use, if necessary, reasonable force for that purpose, and to search every part of the said house *(or other place, or if the search is to be confined to part, specify the part clearly)* and to seize and take possession of any property (or documents, or stamps, or seals or coins, or obscene objects, as the case may be-Add (when the case requires) it and also of any instruments and materials which you may reasonably believe to be kept for the manufacture of forged documents or counterfeit stamps, or false seals or counterfeit coin *(as the case may be)* and forthwith to bring before this Court such of the said things as may be taken possession of, returning

this warrant, with a endorsement certifying what you have done under it, immediately upon its execution

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_, 18 \_\_\_\_\_  
(Seal) (Signature)

### X.—BOND TO KEEP THE PEACE

(See section 107)

Whereas I, (*name*) inhabitant of (*place*), have been called upon to enter into a bond to keep the peace for the term of \_\_\_\_\_ or until the completion of the inquiry in the matter of \_\_\_\_\_ now pending in the Court of \_\_\_\_\_ I hereby bind myself not to commit a breach of the peace, or do any act that may probably occasion a breach of the peace, during the said term or until the completion of the said inquiry and, in case of my making default therein, I hereby bind myself to forfeit to Government, \_\_\_\_\_, the sum of Taka

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_  
(Signature)

### XI.—BOND FOR GOOD BEHAVIOUR

(See section 108, 109 and 110)

Whereas I (*name*), inhabitant of (*place*), have been called upon to enter into a bond to be of good behaviour to Government and to all the citizens of Bangladesh for the term of (*state the period*) or until the completion of the inquiry in the matter of \_\_\_\_\_ now pending in the court of \_\_\_\_\_ I hereby bind myself to be of good behaviour to Government and to all the citizens of Bangladesh during the said term or until the completion of the inquiry; and, in case of my making default therein, I bind myself to forfeit to Government the sum of Taka

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_  
(Signature)

(Where a bond with sureties is to be executed, add)- We do hereby declare ourselves sureties for the above named that he will be good behaviour to Government and to all the citizens of Bangladesh during the said term or until the completion of the said inquiry; and, in case of his making default therein, we bind ourselves, jointly and severally, to forfeit to Government the sum of Taka

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_  
(Signature)

## XII.- SUMMONS ON INFORMATION OF A PROBABLE BREACH OF THE PEACH

*(See section 114)*

To Whereas it has been made to appear to me by credible information that *(state the substance of the information)*, and that you are likely to commit a breach of the peace (or by which act a breach of the peace will probably be occasioned), you are required to attend in person (or by a duly authorized agent) at the Office of the Magistrate of \_\_\_\_\_ on the day of \_\_\_\_\_, 18\_\_\_\_, at ten O'clock in the forenoon, to you should not be required to enter into a bond for Taka \_\_\_\_\_ *when sureties are required show cause why, add, and* also to give security by the bond of one *(or two, as the case may be)* surety *(or sureties)* in the sum of Taka \_\_\_\_\_ *(each if more than one)* that you will keep the peace for the term of \_\_\_\_\_

Given under my hand and the seal of the Court, this \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_

(Seal)

(Signature)

## XII- WARRANT OF COMMITMENT ON FAILURE TO FIND SECURITY TO KEEP THE PEACE.

*(See Section 123)*

To the Superintendent (or Keeper) of the Jail at \_\_\_\_\_

Whereas *(name and address)* appeared before me in person (or by his authorized agent) on the \_\_\_\_\_ day of \_\_\_\_\_ in obedience to a summons calling upon him to show cause why he should not enter into a bond for Taka with \_\_\_\_\_ one surety (or a bond with two sureties each in Taka \_\_\_\_\_), that he, the said *(name)*, would keep the peace for the period of \_\_\_\_\_ months; and whereas an order was then made requiring the said *(name)* to enter into and find such security *(state the security ordered when it differs from mentioned in the summons)*, and he has failed to comply with the said order;

This is to authorize and require you, the said Superintendent (or Keeper), to receive the said *(name)*, into your custody, together with this warrant, and him safely to keep in the said Jail for the said period of \_\_\_\_\_ (term of imprisonment) unless he shall in the meantime be lawfully ordered to be released and to return this warrant with an endorsement certifying the manner of its execution.

Given under my hand the seal of the Court, this day of 18\_\_\_\_

(Seal)

(Signature)

**XIV.- WARRANT OF COMMITMENT ON FAILURE TO FIND SECURITY FOR GOOD BEHAVIOUR.**

*( See section 123)*

To the Superintendent (or Keeper) of the Jail at

WHEREAS it has been made to appear to me that *(name and description)* has been and is lurking within the district of having no ostensible means of subsistence (or, and that he is unable to give any satisfactory account of himself);

*or*

WHEREAS evidence of the general character of *(name and description)* has been adduced before me and recorded, from which it appears that he is an habitual robber (or house-breaker, etc., as the case may be);

And whereas an order has been recorded stating the same and requiring the said (name) to furnish security for his good behaviour for the term of (state the period) by entering into a bond with one surety (or two or more sureties, as the case may be), himself or Taka, and the said surety (or each of the said sureties) for Taka, and the said *(name)* has filed to comply with the said order and for such default has been judged imprisonment for *(state the term)* unless the said security be sooner furnished:

This is to authorize and require you, the said Superintendent (or Keeper), to receive the said *(name)* into your custody, together with this warrant, and him safely to keep in the said Jail for the said period of *(term of imprisonment)* unless he shall in the meantime be lawfully ordered to be released and to return this warrant with an endorsement certifying the manner of its execution.

Given under my hand and the seal of the Court, this day of 18,  
(Seal) (Signature)

**XV.-WARRANT TO DISCHARGE A PERSON IMPRISONED ON FAILURE TO GIVE SECURITY.**

*(See section 123 and 124)*

To the Superintendent (or Keeper) of the Jail at *(or other officer in whose custody person is)*

WHEREAS *(name and description of prisoner)* was committed to your custody under warrant of the Court, dated the day of and has since duly given security under section of the code of Criminal Procedure;





~~or~~

I do hereby direct and require you within (state the time allowed) to put up a sufficient fence (*state the kind of fence and the part to be fenced*);  
or to appear, etc.;

or

I do hereby direct and require etc., etc.(as the case may be).

Given under my hand and the seal of the Court, this                      day  
of                      18

(Seal)

(Signature)

XVII-Omitted by L.R.O. (Order XLIX of 1978)

### XVII.-MAGISTRATE'S NOTICE AND PEREMPTORY

#### ORDER

(See section 140)

To (*name, description and address*).

I hereby give you notice that it has been, found that the order issued on the                      day of                      requiring you (*state substantially the requisition in the order*) is reasonable and proper. Such order has been made absolute, and I hereby direct and require you to obey the said order within (*state the time allowed*), on peril of the penalty provided by the Penal Code for disobedience thereto.

Given under my hand and the seal of the Court, this                      day  
of                      18

(Seal)

(Signature)

### XIX.-INJUNCTION TO PROVIDE AGAINST IMMINENT DANGER PENDING INQUIRY

(See section 142)

To (*name, description and address*).

Whereas the inquiry into the conditional order issued by me on the                      day of                      19                      is still pending and it has been made to appear to me that the nuisance mentioned in the said order is attended with so imminent serious danger to the public as to render necessary immediate measures to prevent such danger, I do hereby, under the provisions of section 142 of the Code of Criminal Procedure, direct and enjoin you forthwith to (*state plainly what is required to be done as a temporary safeguard*), pending the result of the local inquiry.

Given under my hand and the seal of the Court, this                      day  
of                      18

(Seal)

(Signature)

**XX.-MAGISTRATE'S ORDER PROHIBITING THE  
REPETITION, ETC., OF A NUISANCE.**

*(See section 143)*

To *(name description and address)*.

Whereas it has been made to appear to me that, etc., *(state the proper recital, guided by Form No. XVI or Form No. XXI, as the case may be)*;

I do hereby strictly order and enjoin you not to repeat the said nuisance by again placing or causing or permitting to be placed, etc. *(as the case may be)*.

Given under my hand and the seal of the Court, this day  
of 18

(Seal)

(Signature)

**XXI.-MAGISTRATE'S ORDER TO PREVENT OBSTRUCTION,  
RIOT, ETC.**

*(See section 144)*

To *(name, description and address)*.

Whereas it has been made to appear to me that you are in possession (or have management) of *(describe clearly property)*, and that, in digging a drain on the said land, you are about to throw or place a portion of the earth and stones dug up upon adjoining public road, so as to occasion risk of obstruction to persons using the road;

*or*

Whereas it has been made to appear to me that you and a number of other persons *(mention the class of person)* are about to meet and proceed in a religious procession along the public street, etc., *(as the case may be)* and that such procession is likely to lead to a riot or an affray;

*or*

Whereas etc., etc. *(as the case may be)*;

I do hereby order you not to place or permit to be placed any of the earth or stones dug from land on any part of the said road;

*or*

I do hereby prohibit the procession passing along the said street, and strictly warn and enjoin you not to take any part in such procession *(or as the case recited may require)*.

Given under my hand and the seal of the Court, this day  
of 18

(Seal)

(Signature)

**XXII.-MAGISTRATE'S ORDER DECLARING PARTY  
ENTITLED TO RETAIN POSSESSION OF LAND ETC. IN  
DISPUTE.**

*(See section 145)*

It appearing to me, on the grounds duly recorded, that a dispute, likely to induce a breach of the peace, existed between *(describe the parties by name and residence, or residence only if the dispute be between bodies of villagers)*, situate within the local limits of my jurisdiction, all the said parties were called upon to give in a written statement of their respective claims as to the fact of actual possession of the said *(the subject of dispute)*, and being satisfied by due inquiry had thereupon, without reference to the merits of the claim of either of the said parties to the legal right possession that the claim of actual possession by the said *(name or names or description)* is true;

I do decide and declare that he is (or they are) in possession of the said *(the subject of dispute)* and entitled to retain such possession until ousted by course of law, and do strictly forbid any disturbance of his (or their possession in the meantime.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18 \_\_\_\_\_

(Seal)

(Signature)

**XXIII.-WARRANT OF ATTACHMENT IN THE CASE OF A  
DISPUTE AS TO THE POSSESSION OF LAND, ETC.**

*(See section 146)*

To the police officer in charge of the Police station at or, To the Collector of \_\_\_\_\_

Whereas has been made to appear to me that a dispute likely to induce a breach of the peace existed *between (describe the parties concerned by name and residence, or residence only if the dispute be between bodies of villagers)* concerning certain *(state concisely the subject of dispute)* situate within the limits of my jurisdiction, and the said parties were thereupon duly called upon to state writing their respective claims as to the fact of actual possession of the said *(the subject of dispute)*; and whereas, upon due inquiry into the said claims, I have decided that neither of the said parties was in possession of the said *(the subject of dispute)* or I am unable to satisfy myself as to which of the said parties was in possession as aforesaid;

This is to authorize and require you to attach the said *(the subject of dispute)* by taking and keeping possession thereof, and to hold the same under attachment until the decree or order a competent Court

determining the rights of the parties, or the claim to possession, shall have been obtained and to return this warrant with an endorsement certifying the manner of its execution.

Given under hand the seal of the Court, this            day of            18

(Seal)

(Signature)

#### XXIV.-MAGISTRATE'S ORDER PROHIBITING THE DOING OF ANYTHING ON LAND OR WATER.

*(See section 147)*

A DISPUTE having arisen concerning the right of use of (state concisely the subject of dispute situate within the limits of my jurisdiction, the possession of which land (or water) is claimed exclusively by (describe the person or persons), and it appearing to me, on due inquiry into the same, that the said land or water) has been open to the enjoyment of such use by the public (*or if by an individual or a class of persons, describe him them*) and (if the use can be enjoyed throughout the year) that the said use has been enjoyed within the three months of the institution of the said inquiry (*or if use is enjoyable only at particular seasons, say "during the last of the seasons at which the same is capable of being enjoyed"*);

I do order that the said (*the claimant or claimants of possession*), or any one in their interest, shall not take (or retain) possession of the said land or water to the exclusion of the enjoyment of the right of use aforesaid. until he (or they) shall obtain the decree or order of the competent Court adjudging him (or them) to be entitled to exclusive possession.

Given under my hand and the seal of the Court, this            day  
of            18

(Seal)

(Signature)

#### XXV.- BOND AND BAIL-BOND ON A PRELIMINARY INQUIRY BEFORE A POLICE-OFFICER.

*(See section 169)*

I, (*name*) of being charged with the offence and after inquiry required to appear before the Magistrate of

*or*

and after inquiry called upon to enter into my own recognizance to appear when required, do hereby bind myself to appear at            , in

the Court of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ next (or  
 on such day as I \_\_\_\_\_ may  
 hereafter be required to attend) to answer further to the said charge, and  
 in case of my making default herein, I bind myself to forfeit to  
 Government the sum of Taka \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18  
 (Seal) \_\_\_\_\_ (Signature)

I hereby declare myself (or we jointly and severally declare  
 ourselves and each of us) surety (or sureties) for the above said \_\_\_\_\_ that  
 he shall attend at \_\_\_\_\_ in the Court of \_\_\_\_\_ on  
 the day of \_\_\_\_\_ next (or on such day as he may hereafter be  
 required to attend), further to answer to the charge pending against him,  
 and, in case of his making default therein, I hereby bind myself (or we  
 here by bind ourselves) to forfeit to Government \_\_\_\_\_ the  
 sum Taka Dated this day of 18

(Seal) \_\_\_\_\_ (Signature)

## XXVI.- BOND TO PROSECUTE OR GIVE EVIDENCE

(See section 170)

I, (name) of (place), do hereby bind myself to attend at \_\_\_\_\_ in the Court  
 of \_\_\_\_\_ at \_\_\_\_\_ O'clock on the \_\_\_\_\_ day of \_\_\_\_\_  
 next and then and there to prosecute (or to prosecute and give evidence)  
 (or to give evidence) in the matter of a charge of \_\_\_\_\_ against  
 one A.B. and, in case of making default herein, I bind myself to forfeit  
 to Government \_\_\_\_\_ the sum of \_\_\_\_\_ Taka.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18  
 (Seal) \_\_\_\_\_ (Signature)

## XXVII.- NOTICE TO PUBLIC PROSECUTOR BY MAGISTRATE

(See section 205C)

The Magistrate of \_\_\_\_\_ hereby notice that \_\_\_\_\_ he  
 has sent one \_\_\_\_\_ for trial at the next Sessions: and the  
 Magistrate hereby instructs the \_\_\_\_\_ Public Prosecutor to  
 conduct the prosecution to the said case.

The charge against the accused is that, etc. state the offence as in the  
 charge).

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18  
 \_\_\_\_\_ (Signature)

## XXVII.-CHARGES

*(See sections 221, 222, 223)*

## (I) CHARGES WITH ONE HEAD

(a) I, [name and office of Magistrate, etc.], hereby charge you [name of accused person] as follows :-

On Penal Code section 121

(b) that you, on or about \_\_\_\_\_ the day of \_\_\_\_\_ at \_\_\_\_\_ waged war against Bangladesh, and thereby committed an offence punishable under section \_\_\_\_\_ of the Penal Code, and within the cognizance of the Court of Sessions when the accused is to be tried by the High Court Division in the exercise of its original criminal jurisdiction, for Court of Sessions substitute High Court Division.

(c) And I hereby direct that you be tried by the said Court on the said charge.

*(Signature and seal of the Magistrate).*

*To be substituted for (b):*

On section 124.

(2) That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ with the intention of inducing the President of Bangladesh to refrain from exercising a lawful power as such President, assaulted him, and thereby committed an offence punishable under section 124 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.--

On section 161.

(3) That you being a public servant in the \_\_\_\_\_ Department directly accepted from from *(state the name)* for another party *(state that name)* a gratification other than legal remuneration, as a motive for forbearing to do an official act, and thereby committed an offence punishable under section 161 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.

On section 166

(4) That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ did *[or omitted to do, as the case may be]* such conduct being contrary to the provisions of act and known by you to be prejudicial to and thereby committed an offence punishable under section 166 of the Penal Code and within the cognizance of the Court of Sessions.

On section 193.

(5) That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ in the course of the trial of \_\_\_\_\_ before \_\_\_\_\_, stated in evidence that " \_\_\_\_\_ " which statement you either knew

or believed to be false, or did not believe to be true, and thereby committed an offence punishable under section 193 of the Penal Code, and within the cognizance of the Court Sessions or High Court Division.

**On section 304.**

(6) That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed culpable homicide not amounting to murder, causing the death of \_\_\_\_\_, and thereby committed an offence punishable under section 304 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.

**On section 306.**

(7) That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, abetted the commission of suicide by A.B., a person in a state of intoxication, and thereby committed an offence punishable under section 306 of the Penal Code and within the cognizance of the Court of Session or High Court Division.

**On Section 325.**

(8) That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, voluntarily caused grievous hurt to \_\_\_\_\_, and thereby committed an offence punishable under section 325 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.

**On section 392.**

(9) That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, robbed [state the name], and thereby committed an offence punishable under section 392 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.

**On section 395.**

(10) That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed dacoity, an offence punishable under section 395 of the Penal Code, and within cognizance of the Court of Sessions (or High Court Division).

*(In cases tried by Magistrates substitute within my cognizance for "within the cognizance of the Court of Session," and in (c) omit "by the said Court".)*

**(II) CHARGES WITH TWO OR MORE HEADS**

(a) I, (name and office of Magistrate, etc.) hereby charge you (name of accused person) as follows:-

**On section 241.**

(b) First,-Time you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, knowing a coin to be counterfeit, delivered the same to

another person, by name A.B., as genuine, and thereby committed an offence punishable under section 241 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.

*Secondly.*- That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, knowing a coin to be counterfeit, attempted to induce an other person, by name A.B., to receive it as genuine and thereby committed an offence punishable under section 241 of the Penal Code, and within the cognizance of the Court of sessions or High Court Division.

(c) And I hereby direct that you be tried by the said Court on the said charge.

(Signature and Seal of the Magistrate)

*To be substituted for (b):-*

**On Section 302 and 304.**

(2) *First* -That, you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed murder by causing the death of \_\_\_\_\_ and thereby committed an offence punishable under section 302 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.

*Secondly.*-That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, by causing the death of \_\_\_\_\_ committed culpable homicide not amounting to murder, and thereby committed an offence punishable under section 304 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.

**On section 379 and 382.**

(3) *First*.-That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed an offence punishable under section 379 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.

*Secondly.*- That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed theft, having made preparation for causing death to a person in order to the committing of such theft, and thereby committed an offence punishable under section 382 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.

*Thirdly.*- That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed theft, having made preparation for causing restraint to a person in order to the effecting of your escape after the committing of such theft, and thereby committed an offence punishable under section 382 of the Penal Code and cognizance of the Court of Sessions or High Court Division.



*Fourthly.*- That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed theft having made preparation for causing fear of hurt to a person in order to the retaining of property taken by such theft, and thereby committed an offence punishable under section 382 of the Penal Code, and within the cognizance of the Court of Sessions or High Court Division.

Alternative charge on Section 193.

(4) That you, on or about \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, in the course of the inquiry into \_\_\_\_\_, before \_\_\_\_\_, state in evidence that " \_\_\_\_\_ ", and that you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, the course of the trial of \_\_\_\_\_ before \_\_\_\_\_, stated in the evidence that " \_\_\_\_\_ ", one of which statement you either knew or believed to be false, or did not believe to be true, and thereby committed an offence punishable under under section 193 of the Penal Code, and within the cognizance Court of Sessions or High Court Division.

*(In cases tried by Magistrates substitute "within my cognizance" for within the cognizance of the Court of Sessions" and in (c) omit "by the said Court.)*

### (III) CHARGES FOR THEFT AFTER PREVIOUS CONVICTION

I, *(name and office of Magistrate, etc.,)* hereby charge of you *(name of accused person)* as follows :-

That you, on or about the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_, committed theft, and thereby committed an offence punishable under section 379 of the Penal Code and within the cognizance of the Court of Sessions or High Court Division

Magistrate.

*(as case may be)*

And you, the said *(name of accused)*, stand further charged that you, before the committing of the said offence, that is to say on the \_\_\_\_\_ day of \_\_\_\_\_, had been convicted by the *(state Court by which conviction was had)* at of an offence \_\_\_\_\_ punishable under chapter XVII of the Penal Code, with imprisonment for a term of three years that is to say, the offence of house-breaking by night *(describe the offence in the words used in the section under which the accused was convicted)*, which conviction is still in full force and effect, and that you are thereby liable to enhanced punishment under section 75 of the Penal Code.

And I hereby direct that you be tried, etc.

**XXIX.-WARRANT OF COMITMENT ON A SENTENCE  
IMPRISONMENT OR FINE IF PASSED BY A MAGISTRATE**

*(See section 245 and 258)*

To the Superintendent (or Keeper) of the Jail at

Whereas on the \_\_\_\_\_ day of 18, \_\_\_\_\_ *(name of prisoner)*  
the (1st,2nd,3rd, as the case may be) prisoner in case No. \_\_\_\_\_ of  
the Calender for 18 \_\_\_\_\_, was convicted before me *(name and official  
designation of the offence of (mention the offence or offences concisely)*  
under section *(or sections)* \_\_\_\_\_ of the Penal Code (or of Act  
\_\_\_\_\_), and was sentenced to *(state the punishment fully and distinctly);*

This is to authorize and required you, the said Superintendent (or  
Keeper, to receive the said prisoner's name) into your custody in the said  
Jail, together with this warrant and there carry the foresaid sentence into  
execution according to law.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18 .

(Seal)

(Signature)

**XXX.-WARRANT OF IMPRESONMENT ON FAILURE TO  
RECOVER AMENDS BY ATTACHMENT AND SALE**

*(See section 250)*

To the Superintendent (or Keeper) of the Jail at

Whereas *name and description* has brought against *(name and  
description of the accused person)* the complaint *that (mention it  
concisely* and the same has been dismissed as false and frivolous or  
vexatious, and the order of dismissal awards payment by the said *(name  
of complainant)* of the sum of Taka \_\_\_\_\_ as amends; and  
whereas the said sum has not been paid and an order has been made for  
his simple imprisonment in Jail for the period of \_\_\_\_\_ days,  
unless the aforesaid sum be sooner paid;

The is to authorize and require you, the said Superintendent (or  
Keeper), to receive the said (name) into your custody, together with this  
warrant, and him safely to keep in the said Jail for the said period of  
(term of imprisonment), subject to the provisions of section 69 of the  
Penal Code, unless said sum be sooner paid, and on the receipt thereof,  
forthwith to set him at liberty, returning this warrant with an  
endorsement certifying the manner of its execution.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18

(Seal)

(Signature)

## XXXL.- SUMMONS TO WITNESS

(See section 69 and 252)

To \_\_\_\_\_ of \_\_\_\_\_

Whereas complaint has been made before that \_\_\_\_\_ of \_\_\_\_\_ has (or is suspected to have) committed the offence of *(state the offence concisely with time and place)*, and it appears to me that you are likely to give material evidence for the prosecution:

You are hereby summoned to appear before this Court on the \_\_\_\_\_ day of \_\_\_\_\_ next at ten o'clock in the forenoon, to testify what you know concerning the matter of the said complaint, and not to depart thence without leave of the Court; and you are hereby warned that, if you shall without just excuse neglect or refuse to appear on the said date, a warrant will be issued to compel your attendance.

Given under my hand and the seal court, this \_\_\_\_\_ day of \_\_\_\_\_ 18,  
(Seal) \_\_\_\_\_ (Signature)

XXXII] Omitted by Ordn. No. XLIX of 1978.

XXXIII]

## XXXIV.- WARRANT OF COMMITMENT UNDER SENTENCE OF DEATH

(See section 374)

To the Superintendent (or Keeper) of the Jail at \_\_\_\_\_

Whereas at the Session held before me on the \_\_\_\_\_ day of \_\_\_\_\_ 18. *(name of prisoner)*, the (1st, 2nd, 3rd, as the case may be) prisoner in case No. \_\_\_\_\_ of the Calender at the said Session, was duly convicted of the offence of culpable homicide amounting to murder under section \_\_\_\_\_ of the Penal Code, and sentence to suffer death, subject to the confirmation of the said sentence by the \_\_\_\_\_ Court of \_\_\_\_\_ :

This is to authorize and require you, the said Superintendent (or Keeper), to receive the said *(prisoner's name)* into your custody in the said Jail, together with this warrant, and him there safely to keep until you shall receive the further warrant or order of this Court, carrying into effect the order of the said Court,

Given under my hand and the seal of the Court, this \_\_\_\_\_ day of \_\_\_\_\_ 18  
(Seal) \_\_\_\_\_ (Signature)

**XXXV.-WARRANT OF EXECUTION ON A SENTENCE OF  
DEATH**

*(See section 381)*

To the Superintendent (or Keeper) of the Jail at

Whereas (*name of prisoner*), the (1st, 2nd, 3rd, as the case may be) prisoner in case No. \_\_\_\_\_ of the Calender at the Session held before me on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, has been by a warrant of this Court, dated the \_\_\_\_\_ day of \_\_\_\_\_ committed to your custody under sentence of death ; and whereas the order of the \_\_\_\_\_ Court of \_\_\_\_\_ confirming the said sentence has been received by this Court;

This is to authorize and require you, the said Superintendent (or Keeper), to carry the said sentence into execution by causing the said \_\_\_\_\_ to be hanged by the neck until he be dead, at (*time and place of execution*), and to return this warrant to the Court with an endorsement certifying that the sentence has been executed.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_,

(Seal)

(Signature)

**XXXVI.-WARRANT AFTER A COMMUTATION OF A  
SENTENCE**

*(See section 381 and 382).*

To the Superintendent (or Keeper) of the Jail at

Whereas at a Session held on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, (*name of prisoner*), the (1st, 2nd, 3rd as the case may be) prisoner in case No. \_\_\_\_\_ of the Calender at the said Session, was convicted of the offence of \_\_\_\_\_ punishable under section \_\_\_\_\_ of the Penal Code, and sentenced to \_\_\_\_\_, and was thereupon committed to your custody; and whereas by the order of the \_\_\_\_\_ Court of \_\_\_\_\_ (a duplicate which is hereinto annexed) the punishment adjudged by the said sentence has been commuted to the punishment of transportation for life (or as the case may be);

This is to authorize and require you, the said Superintendent (or Keeper) safely to keep the said (*prisoner's name*) in your custody in the said Jail, as by law is required until he shall be delivered over by you to the proper authority and custody for the purpose of his undergoing the punishment of transportation under the said order,



and in case of making default herein, I bind myself to forfeit to Government, the sum of Taka

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18, \_\_\_\_\_  
(Signature)

*Where a bond with sureties is to be executed, add-*

We do hereby declare ourselves sureties for the above named that he will appear before the Court of \_\_\_\_\_ on the following date (or dates) namely:- \_\_\_\_\_ and, in case of his making default therein, we bind ourselves jointly and severally to forfeit to Government, \_\_\_\_\_, the sum of Taka

(Signature)

### XXXVIII.-WARRANT OF COMMITMENT IN CERTAIN CASES OF CONTEMPT WHEN A FINE IS IMPOSED.

*See section 480)*

To the Superintendent (or Keeper) of the Jail at \_\_\_\_\_ Whereas at a court holden before me on this day (*name and description of the offender*) in the presence (or view) or the Court committed wilful contempr;

And whereas for such contempt the said (*name of offender*) has been adjudged by the Court to pay a fine of Taka or in default to suffer simple imprisonment for the space of (*state the number of months or days*);

This is to authorize and require you, the Superintendent (or Keeper) of the said, to receive the said (*name of offender*) into your custody, together with this warrant, and him safely to keep in the said Jail for the said period of (term of imprisonment), unless the said fine be sooner paid; and, on the receipt thereof, forthwith to set him at liberty, returning this warrant with an endorsement certifying the manner of its execution.

Given under my hand and the seal of the Court this \_\_\_\_\_ day of \_\_\_\_\_ 18

(Seal)

(Signature)

### XXXIX.- MAGISTRATE'S OR JUDGE'S WARRANT OR COMMITMENT OF WITNESS REFUSING TO ANSWER.

*(See section 485)*

To (*name and description of officer of Court*).

Whereas (*name and description*), being summoned (or brought before this Court) as a witness and this day required to give evidence on

... having been alleged to have committed an offence refused to answer a certain question (or certain questions) put to him touching the said alleged offence and duly recorded, without alleging any just excuse for such refusal, and for his contempt has been adjudged detention in custody for (*term of detention adjudged*);

This is to authorize and require you to take the said (name) into custody, and him safely to keep in your custody for the space of \_\_\_\_\_ days, unless in the meantime he shall consent to be examined and to answer the questions asked of him, and on the last of the said days, or forthwith on such consent being known, to bring him before this Court to be dealt with according to law, returning this warrant with an endorsement certifying the manner its execution.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18, \_\_\_\_\_

(Seal)

(Signature)

### XI.-WARRANT OF IMPRISONMENT ON FAILURE TO PAY MAINTENANCE

(See section 488)

To the Superintendent (or Keeper) of the Jail at \_\_\_\_\_

Whereas (*name, description and address*) has been proved before me to be possessed of sufficient means to maintain his wife (name) or his child (name) who is by reason of (state the reason) unable to maintain herself (or himself) and to have neglected or refused to do so, and an order has been duly made requiring the said (name) to allow to his said wife (or child) for maintenance the monthly sum of Taka \_\_\_\_\_ ; and whereas it has been further proved that the said (name) in wilful disregard of the said order has failed to pay Taka \_\_\_\_\_ ; being the amount of the allowance for the month (or months) of \_\_\_\_\_ ; And thereupon an order was made adjudging him to undergo simple (or rigorous) imprisonment in the said Jail for the period of \_\_\_\_\_ ;

This is to authorize and require you, the said Superintendent (or Keeper), to receive the said (name) into your custody in the said Jail, together with this warrant, and there carry the said order into execution according to law, returning this warrant with an endorsement certifying the manner of its execution.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18, \_\_\_\_\_

(Seal)

(Signature)

**XII.-WARRANT TO ENFORCE THE PAYMENT OF MAIN  
TENANCE BY ATTACHMENT AND SALE**

*(See section 488)*

To *(name and designation of the Police officer or other person to execute the warrant)*.

Whereas an order has been duly made requiring *(name)* to allow to his said wife (or child) for maintenance the monthly sum of Taka \_\_\_\_\_, and whereas the said *(name)* in wilful disregard of the said order has failed to pay Taka, \_\_\_\_\_, being the amount of the allowance for the month (or months) of \_\_\_\_\_

This is to authorize and require you to attach any movable property belonging to the said *(name)* which may be found within the district of \_\_\_\_\_, and if within *(state the number of days or hours allowed)* next after such attachment the said sum shall not be paid (or forthwith), to sell the movable property attached, or so much thereof, as shall be sufficient to satisfy the said sum, returning this warrant, with an endorsement certifying what you have done under it, immediately upon its execution.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18,

(Seal)

(Signature)

**XLII.- BOND AND BAIL-BOND ON A PRELIMINARY INQUIRY  
BEFORE A MAGISTRATE**

*(See sections 496 and 499).*

I, *(name)*, of *(place)*, being brought before the Magistrate of (as the case may be) charged with the offence of, \_\_\_\_\_ and require to give security for my attendance in his Court and at the Court of Sessions, if required, do bind myself to attend at the Court of the said Magistrate on every day of the preliminary inquiry into the said charge, and should the case be sent for trial by the Court of Sessions, to be, and appear before the said Court when called upon to answer the charge against me: and, in case of my making default herein, I bind myself to forfeit to Government \_\_\_\_\_ the sum of Taka \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18,

(Signature)

I hereby declare myself (or We jointly and severally declare ourselves and each of us) surety (or sureties) for the said *(name)* that he shall attend at the Court of \_\_\_\_\_ on every day of the preliminary inquiry into \_\_\_\_\_



the offence charged against him, and, should the case be sent for trial by the Court of Sessions, that he shall be and appear, before the said Court to answer the charge against him, and, in case of his making default therein, I bind myself (or we bind ourselves) to forfeit to Government, the sum of Taka

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18, \_\_\_\_\_  
(Signature)

#### XLIII.-WARRANT TO DISCHARGE A PERSON IMPRISONED ON FAILURE TO GIVE SECURITY.

(See section 500)

To the Superintendent (or Keeper) of the Jail at  
(or other officer in whose custody the person is).

Whereas (*name and description of prisoner*) was committed to your custody under warrant of this Court, dated the day of \_\_\_\_\_, and has since with his surety (or sureties) duly executed a bond under section 499 of the Code of Criminal Procedure;

This is to authorize and require you forthwith to discharge the said name) from your custody, unless he is liable to be detained for some other matter.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18, \_\_\_\_\_

(Seal)

(Signature).

#### XLIV.- WARRANT OF ATTACHMENT TO ENFORCE A BOND.

(See section 514)

To the Police Officer in charge of the Police-station at

Whereas (*name, description and address of person*) has failed to appear on mention the occasion) pursuant to his recognizance, and has by such default forfeited to Government \_\_\_\_\_, the sum of Taka (*the penalty in the bond*); and whereas the said (*name of person*) has on due notice to him, failed to pay the said sum or show any sufficient cause why payment should not be enforced against him;

This is to authorize and require you to attach any movable property of the said (*name*) that you may find within the district of \_\_\_\_\_, by seizure and detention, and, if the said amount be not paid within three days, to sell the property so attached or so much of it as may be

sufficient to realise the amount aforesaid, and to make return of what you have done under this warrant immediately upon its execution.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18, \_\_\_\_\_  
(Seal) \_\_\_\_\_ (Signature)

### X;V.-NOTICE TO SURETY ON BREACH OF A BOND

(See section 514)

To \_\_\_\_\_ of \_\_\_\_\_  
Whereas on the \_\_\_\_\_ day of, \_\_\_\_\_ 18, you  
became surety for (name) of (p;ace) that he should appear before this  
Court on the \_\_\_\_\_ day of \_\_\_\_\_ and bound yourself in  
default thereof to forfeit the sum of (Taka) \_\_\_\_\_ to  
Government; \_\_\_\_\_; and whereas the said (name) has failed to  
appear before this Court and by reason of such default you have  
forfeited the aforesaid sum of (Taka) \_\_\_\_\_

You are hereby required to pay the said penalty or show cause,  
within \_\_\_\_\_ days from this date, why payment of the said  
sum should not be enforced against you.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18, \_\_\_\_\_  
(Seal) \_\_\_\_\_ (Signature)

### XLVI.-NOTICE TO SURETY OF FORFEITURE BOND FOR GOOD BEHAVIOUR.

(See section 514).

To \_\_\_\_\_ of \_\_\_\_\_  
Whereas on the \_\_\_\_\_ day of \_\_\_\_\_ 18, you  
became surety by a bond for (name) of (place) that he would be of good  
behaviour for the period of \_\_\_\_\_ and bond yourself in default  
thereof to forfeit the sum of Taka) \_\_\_\_\_ to  
(Government), \_\_\_\_\_ and whereas the said (name) has  
been convicted of the offence of (mention the) offence concisely)  
committed since you become forfeited;

You are hereby required to pay the said penalty of (Taka) \_\_\_\_\_  
or to show cause within \_\_\_\_\_ days why it should  
not be paid.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18, \_\_\_\_\_  
(Seal) \_\_\_\_\_ (Signature)

**XLVII.- WARRANT OF ATTACHMENT AGAINST A SURETY***(See section 514)*

To \_\_\_\_\_ of \_\_\_\_\_

Whereas *(name, description and address)* has bound himself as surety for the appearance of *(mention the condition of the bond)*, and the said *(name)* has made default, and thereby forfeited to (Government), \_\_\_\_\_, the sum of \_\_\_\_\_ (Taka) \_\_\_\_\_ *(the penalty in the bond)*:

This is to authorize and require you to attach any movable property of the said *(name)* which you may find within the district of \_\_\_\_\_, by seizure and detention; and, if the said amount be not paid within three days, to sell the property so attached so much of it as may be sufficient to realize the amount aforesaid, and make return of what you have done under this warrant immediately upon its execution.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_

(Seal)

(Signature)

**XLVIII.- WARRANT OF COMMITMENT OF THE SURETY OF AN ACCUSED PERSON ADMITTED TO BAIL***(See section 414)*

To the Superintendent (or Keeper) of the Civil Jail at \_\_\_\_\_

Whereas *(name and description of surety)* has bound himself as a surety for the appearance of *(state the condition of the bond)* and said *(name)* has therein made default whereby the penalty mentioned in the said bond has been forfeited to Government \_\_\_\_\_; and whereas the said *(name of surety)* has, on due notice to him, failed to pay the said sum or show any sufficient cause why payment should not be enforced against him, and the same cannot be recovered by attachment and sale of movable property of his, and an order has been made for his imprisonment in the Civil Jail for *(specify the period)*;

This is to authorize and require you, the said Superintendent (or Keeper), to receive the said *(name)* into your custody with this warrant and him safely to keep in the said Jail the said *(term of imprisonment)*, and to return this warrant with an endorsement certifying the manner of its execution.

Given under my hand and the seal of the Court this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_

(Seal)

(Signature)

**XLIX.-NOTICE TO THE PRINCIPAL OF FORFEITURE OF A  
BOND TO KEEP THE PLACE**

*(See section 514)*

To (name, description and address).

Whereas on the                      day of                      18                      , you entered into a bond not to commit, etc., (as in the bond), and proof of the forfeiture of the same has been given before me and duly recorded;

You are hereby called upon to pay the said penalty of Taka                      , or to show cause before me within                      days why payment of the same should not be enforced against you.

Dated this                      day of                      18

(Seal)

(Signature)

**L. WARRANT TO ATTACH THE PROPERTY OF THE  
PRINCIPAL ON BREACH OF A BOND TO KEEP THE PEACE.**

*(See section 514)*

To (name and designation of Police Officer), at the Police-station of

Whereas (name and description) did, on the                      day of                      18                      , enter into a bond for the sum of Taka binding himself not to commit a breach of the peace, etc. (as in the bond), and proof of the forfeiture of the said bond has been given before me and duly recorded; and whereas notice has been given to the said (name) calling upon him to show cause why the said sum should not be paid, and he has failed to do so or to pay the said sum;

This is to authorize and require you to attach by seizure movable proper belonging to the said (name) to the value of Taka                      which you may find within the district of                      , and, if the said sum be not paid with to sell the property so attached, or so much of it as may be sufficient to realise the same; and to make return of what you have done under this warrant immediately upon its execution.

Given under my hand and the seal of the Court, this                      day of                      18,

(Seal)

(Signature)

**LI.-WARRANT OF IMPRISONMENT ON BREACH OF A BOND  
TO KEEP THE PEACE.**

*(See section 514)*

To the Superintendent (or Keeper) of the Civil Jail at

Whereas proof has been given before me and duly recorded that *(name and description)* has committed a breach of the bond entered into by him to keep the peace, where he has forfeited to Government \_\_\_\_\_, the sum of Taka \_\_\_\_\_, and whereas the said *(name)* failed to pay the said sum or to show cause why the said sum should not be paid although duly called upon to do so, and payment thereof cannot be enforced by attachment of his movable property, and an order has been made for the imprisonment of the said *(name)* in the Civil Jail for the period of *(term of imprisonment)*;

This is to authorize and require you, the said Superintendent (or Keeper) of the said Civil Jail, to receive the said *(name)* into your custody, together with this warrant, and him safely to keep in the said Jail for the said period of *(term of imprisonment)*, and to return that warrant with an endorsement certifying the manner of its execution.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18 \_\_\_\_\_

(Seal)

(Signature).

**LII.- WARRANT OF ATTACHMENT AND SALE ON  
FORFEITURE OF BOND FOR GOOD BEHAVIOUR.**

*(See section 514)*

To the Police-officer in charge of the Police station at

Whereas *(name, description; and address)* did, on the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_, give security by bond in the sum of Taka \_\_\_\_\_ for the good behaviour of *(name, etc. of the principal and proof has been given before me and duly recorded of)* commission by the said *(name)* of the offence of \_\_\_\_\_ whereby the said bond has been forfeited: and whereas notice has been to the said *(name)* calling upon him to show cause why the said sum should not be paid, and he has failed to do so or to pay the said sum;

This is to authorize and require you to attach by seizure movable property belonging to the said *(name)* to the value of Taka \_\_\_\_\_ which you may find within the district of \_\_\_\_\_, and, if the said sum be not paid within \_\_\_\_\_ to sell the property attached or so much of it as may be sufficient to realise the same, and to

make return of what you have done under this warrant immediately upon its execution.

Given under my hand and the seal of the Court, this \_\_\_\_\_ day  
of \_\_\_\_\_ 18\_\_\_\_\_

(Seal)

(Signature)

**LIII.-WARRANT OF IMPRISONMENT ON FORFEITURE OF BOND FOR GOOD BEHAVIOUR.**

(See section 514)

To the Superintendent (or Keeper) of the Civil Jail at \_\_\_\_\_  
Whereas (*name, description and address*) did, on the \_\_\_\_\_  
of \_\_\_\_\_ 19\_\_\_\_\_, give security by bond in the sum of Taka \_\_\_\_\_  
for the good behaviour of (*name, etc, of the principal*) and proof of the  
breach of the said bond has been given before me and duly recorded  
whereby the said (*name*) has forfeited to Government, \_\_\_\_\_ the  
sum of Taka \_\_\_\_\_, and whereas he has failed up to pay the  
said sum or to show cause why the said sum should not be paid although  
duly called upon to do so, and payment thereof cannot be enforced by  
attachment of his movable property, and an order has been made for the  
imprisonment of the said (*name*) in the Civil Jail for the period of (*term  
of imprisonment*);

This is to authorize and require you, the Superintendent (or Keeper)  
to receive the said (*name*) into your custody, together with this warrant  
and him safely to keep in the said Jail for the said period of (*term  
of imprisonment*), returning this warrant with an endorsement certifying the  
manner of its execution.

Given under my hand and the seal of the Court, this \_\_\_\_\_ da  
of \_\_\_\_\_ 19\_\_\_\_\_

(Seal)

(Signature)

**THE END.**