



**DISSERTATION
ON
NATURE & PROCEDURE OF FEMALE CRIMINALITY IN
BANGLADESH:
A COMPARATIVE LEGAL ANALYSIS WITH INDIA AND PAKISTAN**

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Mridul Bepari

Lecturer

Department of Law

East West University

Submitted by:

Alza Afra Rumaly Mati

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DECLARATION

I, Alza Afra Rumaly Mati, declare that the thesis work has been done by me and that all the works, citations, review of the literature etc. are genuine and bear no resemblance to other works of thesis or secondary research. I, therefore, confirm that the research paper has been composed and authored solely by myself as a part of the fulfillment of the LLB degree at East West University.

Date: 18/05/2022

LIST OF ABBREVIATIONS

DHAKA AHSANIA MISSION	DAM
AUTOMATED TELLER MACHINE	ATM
UNITED NATIONS OFFICE DRUGS AND CRIME	UNODC
ASHOKTI PUNORBASHON NIBASH	APON
COMMUNITY HEALTH REHABILITATION EDUCATION AND AWARENESS	CREA

ABSTRACT

The concept of Female criminality is not a petty issue as people think about this. Although our society is mostly patriarchal, but this type cannot enough reason to ignore the female criminality. There are several things to rethink about female criminality, reason behind this criminality, its nature and criminological view related with some theories. The existing laws for female among two neighboring countries Bangladesh India and Pakistan. This study shows *NATURE & PROCEDURE OF FEMALE CRIMINALITY IN BANGLADESH: A COMPARATIVE LEGAL ANALYSIS WITH INDIA AND PAKISTAN*. This study target to increase awareness about reducing the crime and focusing the female criminal whose misused the law and rights. The law has to more specific and implemented properly. At the End of the study the specific recommendations provided About legal lacking and its implementations.

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CHAPTER I

INTRODUCTION

Crime does not differ any gender, but people are not concern about female criminal. When they know about any crime people imagine a male person, but female also is become more violent than male. Female are committing crime for their surrounding environment or have some reason to commit crime -any deprivations, lacking educations, rape, Adultery, Religious perspective or theoretical reasons.

In order to analyzing the female criminality among Bangladesh, India, and Pakistan the female crime nature is sometimes same because Bangladesh, India and Pakistan were in same regime under British rule also 200 years so the nature of crime will be same its natural and after 1947 Pakistan and India were divided and they share their border. On the other hand, Pakistan ruled east Pakistan (Bangladesh) almost 24 years then through a war they are separated but these three countries still contain the British Law although each country passed the special Act to give the right towards female, but female are misused the law and filed the false case. This research paper tries to identify the comparative analysis about legal matter, causes and preventions among Bangladesh, India, and Pakistan. The goal of this study is to increase awareness about female criminality, reason behind this offence, legal effect, and applications among these three countries.

1.2 RESEARCH QUESTIONS

- What is the current status of female criminality in Bangladesh compared to India and Pakistan?
- Are the existing laws enough for controlling female criminality in Bangladesh? If not, then what should be the probable remedies?

1.3 RESEARCH OBJECTIVE

- To find out the condition of female offender.
- To find out the reason behind this female crime.
- To find out the current situation of female crime in Bangladesh, India and Pakistan.
- To analysis the female law, Act which is misused by them.

- To find out the laws and flaws in Bangladesh, its applications in Bangladesh, India, Pakistan throughout the case study.

1.4 METHODOLOGY

The research is based on female offender and nature of crime and this research assisted with the data of secondary sources. Books, articles, newspapers writings are the main source of this paper. To clarify the research about three countries, some relevant laws, act and statute in Bangladesh, India and Pakistan is referred. The research approach was “Qualitative and Quantative Research Methodology”. The footnote and bibliography have been referred to in OSCOLA referencing system.

1.5 LIMITATIONS

Analyzing female criminality among Bangladesh, India and Pakistan is big area so it's tough to cover this area to identify the all matter but I have tried to cover the laws, cases and using theories. Since I do not have enough resources such -books, articles, journals etc. this study will show the current situations, legal work, examples of female criminal of three countries. I cannot enough cover the Indian and Pakistan laws but this paper will show the comparative statistics about female crime causes and its prevention and misused law by female etc. there may be some error, so pardon my mistake.

1.6 CHAPTER OUTLINE

This paper contains several chapters, and every chapter tries to explain the female criminality elaborately. First chapter contain the Introduction, methodology, Research question, Research objective, chapter outline and Literature review. Second chapter explain and try to clarify the history of female crime, definition of crime and female crime, why female are involved herself to commit crime, the female crime nature, Reason behind the female crime. Third chapter contains the current situation of female crime with legal study and comparative statistics of female criminality. consequent of Bangladesh female criminal case study, Female criminality is analyzing

with relevant law, Act, statute, constitutional view and try to find out the prevention of criminological and legal view and find out the laws and flaws of female criminality in Bangladesh. In the fourth chapter findings and recommendations have been shown. In the final chapter Bibliography and conclusion have been drawn.

1.7 LITERATURE REVIEW

Many books and Journals about female criminality but none of them contain enough information about what recite necessary to know briefly on the topic of “Laws and Flaws of female criminality in Bangladesh: A comparative analysis with India and Pakistan”. Following are some of the important research works:

Gomes and Duarte 2018- Feminist were criticized by criminological theories but to understand the female criminality have some relevancy about female criminality.¹

According to **Arnall and Eagle 2009** When females are suffering from many socio-economic status and poverty related issues, others people or environment proposed them to commit crime or offences but in poverty related issues female are not more involved in crime though writer said that poverty is the more related to involve with crime.²

According to **McCartan and Gunnison 2010** female whose were in depression or in her childhood or her adolescent period she was a victimized of and in her life, she faced any rash situation or experience they may become self-esteem and various type of crime.³

Lombroso said that female criminals are Biologically likely to male and similarly they hold the male nature than female.⁴

They all are discussed all those related issues by their own motion. In my work, I'll examine the causes for this and try to provide some recommendations on the subject.

¹ Gomes S and Duarte V, “An Introduction to Female Crime and Delinquency: Portugal in the World | SpringerLink” (*An Introduction to Female Crime and Delinquency: Portugal in the World | SpringerLink*, May 5, 2018) https://link.springer.com/chapter/10.1007/978-3-319-73534-4_1 accessed March 17, 2022

² Ibid

³ Ibid

⁴ “Gender and Crime - Explaining Female Offending” (*JRank Articles*) <https://law.jrank.org/pages/1251/Gender-Crime-Explaining-female-offending.html> accessed April 17, 2022

CHAPTER II

CONCEPTUAL HISTORY OF FEMALE CRIMINALITY

In ancient period female were offender and killer just like as incredible horrible character.⁵ Worldwide many infamous females were doing wrong or criminal activity which was actually not imaginable.⁶ Bonnie and Clyde duo was the infamous female who was the member of Barrow gang and they commit numerous thefts.⁷ Statistic shows that almost 11% women are responsible for murder. Almost 600 girls were killed by Elizabeth Bathory and she was in elite class that's why she misused her wealth and position.⁸ When we see the world wide view of female criminality we can see some heinous female criminal, Andrea Yates, Aileen Wuornos, Evelyn Dick (Torso Killer), Susan Atkins, Leslie Van Hanten and Patricia Krenwinkel were killed for Charles Manson, Jane Toppan etc.⁹ So female criminals were remaining since the previous period so being the female people see them as the innocent but history says that people should rethink about it.

2.2 DEFINITION OF CRIME

Crime is a conduct which is punishable by a state or others authority¹⁰, it may be any act or omission which is actually defined by the statutory or common law and they set up a punishment according to the nature of crime. intention is the main element of crimes, intention determines the weight of punishment and also determines any strict liability, if the defendant had no any specific mindset to commit a crime but that crime actually happened then the defendant have to be taken this liability like parking violation and here do not require to establish any mala fide or bona fide

⁵ Kuroski J, "History's 6 Most Infamous Female Criminals and Killers" (*History's 6 Most Infamous Female Criminals and Killers*, December 15, 2012) <https://allthatsinteresting.com/infamous-female-criminals-killers> accessed April 17, 2022

⁶ Ibid

⁷ Ibid

⁸ Ashe, S., 2018. *20 of the most infamous female killers*. [online] Insider. Available at: <https://www.insider.com/most-famous-female-killers-2018-7> [Accessed 16 April 2022].

⁹ Ibid

¹⁰ Crime definition "Crime". Oxford English Dictionary Second Edition on CD-ROM. Oxford: Oxford University Press. 2009.

intention.¹¹ Many types of crime will be occurred - murder, homicide, cheat, robbery, theft, extortion, disturbing public worship, forgery, sodomy, gambling, bigamy etc.¹²

2.3 DEFINITION OF FEMALE CRIME

Since women were involving their selves less than men, people thought that of their morality because in and motherhood nature but now a days they have involved their self in crime and certain behavior of crime is common in nature like human trafficking, drug offence, sheltering or forcing women to engage prostitution, violent crime etc.¹² In 1985 Lombroso and Ferrero emphasized that socially and morally women are gradually far away from tradition rather than they wanted to become more liberal in early period.

2.4 FEMALE CRIMINALITY IN CRIMINOLOGICAL ANALYSIS

Since the female crime is increasing day by day, that's why the question is arising "is it possible to increase female crime in this male dominated society? In criminological analysis they found out the biological characteristics. Women bears different socio-economic theories and point of view. But the new question is that "are all female crime is stand with same criminological theories? In criminological analysis they thought that four criminological theories are related to describe female criminality 1. Masculinity theories, 2. Opportunity theories, 3. Marginalization theories, 4. chivalry or paternalism theories.¹³

- **Masculinity theory:** Due to women empowerment they engaged more violent crime than non-empowerment women and they are depended on masculinity behavior.¹⁴

¹¹ "Crime | Wex | US Law | LII / Legal Information Institute" (*LII / Legal Information Institute*) <https://www.law.cornell.edu/wex/crime#:~:text=Crime%20is%20behavior%2C%20either%20by,regard%20to%20the%20criminal%20action> accessed April 18, 2022

¹² "Female Criminality: A Way Out" (*New Age*, March 19, 2019) <https://www.newagebd.net/article/67468/female-criminality-a-way-out> accessed April 18, 2022

¹³ Banarjee S, Islam MJ and Khatun N, "Theories of Female Criminality: A Criminological Analysis | International Journal of Criminology and Sociological Theory"

¹⁴ Adler F, *Sisters in Crime* (1975)

- **Opportunity theory:** Women are involved different type of crime because of getting more opportunity but due to getting opportunity it reduces violent crime on the other hand increases property crime.¹⁵
- **Marginalization theory:** Then marginalization theory, basically its more reliable than other theories. Marginalization theory said that women are pushed to commit crime for low salary, family victimization, inadequate job for women.¹⁶
- **Chivalry or paternalism theory:** This theory said the indirect involvement of female such as – male is instigated to commit crime by female.¹⁷ Society gives privilege to the women and women are taking this advantage and pretended to be that they are.

2.5 THE NATURE OF FEMALE CRIMINALITY

The nature of female crime has been described hereunder

1. Women whose are not educated or illiterate or lack of logic crime is reflected in there and other side is when educated women whose are known about the law and committed a crime those are not so properly socialized.¹⁸
2. Sometimes religious may be caused to commit a crime or a specific section or community influenced by this.¹⁹

Kempamma, who was the Indian first female criminal, alleged have to six murders within eight years.²⁰ She pretended that she was a pious woman.²¹ In that ritual when she started puja, she called victim to close to her and then she forced to drink cyanide.²²

¹⁵ Rita J. Simon: Women and Society (1976)

¹⁶ Meda-Chesney Lind: Women and Crime: The Female Offender (1986)

¹⁷ Thomas: Sex and Society (1907) Otto Pollack: The Criminality of Women (1950)

¹⁸ Sehgal Diganth Raj, “Female Crimes: Related Theories and Postulations” (*iPleaders*, October 25, 2021) <https://blog.ipleaders.in/female-crimes-related-theories-and-postulations/> accessed April 20, 2022

¹⁹ *ibid*

²⁰ Dutta PK, “Cyanide Mallika: Sasikala’s Neighbor in Jail, Jayalalithaa’s Fan and India’s First Female Serial Killer” (*India Today*, February 17, 2017) <https://www.indiatoday.in/india/story/cyanide-mallika-sasikala-jayalalithaa-bengaluru-jail-961260-2017-02-17> accessed April 20, 2022

²¹ “Serial Killer Mallika’s Death Sentence Reduced to Life” (*NDTV.com*, August 2, 2012) <https://www.ndtv.com/south/serial-killer-mallikas-death-sentence-reduced-to-life-495237> accessed April 21, 2022

²² “First Woman Serial Killer Nabbed” (*The Times of India*, January 1, 2008) <https://timesofindia.indiatimes.com/city/bengaluru/First-woman-serial-killer->

3. Caste plays a vital role to commit a crime. The upper-class women are basically committed in property crime and showed their social status and position.²³
4. The center consideration of coeval theories of crime is marriage. It is fulfilling the expected and socially responsible relationship but when it is all of are laying upon women then the result will be totally wrong, and women may commit a crime.²⁴

On 20 March 2022 in Bramanbaria district a mother (Rima Begum) killed her two sons, Yasin khan (7) and Morsalin khan (5) by mixing poison with sweet and then bought NAPA syrup and pour into the child mouth and try to prove that NAPA syrup is the main reason to death and Father Ismail Hossain field a case against Rima and Saifullah. Yasin Hossain was a disabled person, but he is a brick worker. Rima and Saifullah worked together in a same factory, and they decided to get marry.²⁵

5. Female crime depends on the type of occupation, such as housewives' women compare to other women, and they are more involved in property crime.²⁶

On 18 February 2021 in Andrapradesh, police arrested five persons including a woman and that woman passed MBA degree and she could not do anything in this field rather she was a housewife, and she was frustrated about it and then she committed stealing a bag which contains almost 1.5 lakh rupee.²⁷

2.6 REASON BEHIND THE FEMALE CRIMINALITY

Female criminality cannot be understood without studying criminological background.

[nabbed/articleshow/2665976.cms](https://timesofindia.indiatimes.com/city/bengaluru/First-woman-serial-killer-nabbed/articleshow/2665976.cms)<https://timesofindia.indiatimes.com/city/bengaluru/First-woman-serial-killer-nabbed/articleshow/2665976.cms> accessed April 21, 2022

²³ Female crimes: related theories and postulations. This article has been written by Oishika Banarji of Amity law school, Kolkata.

²⁴ Sehgal Diganth Raj, "Female Crimes: Related Theories and Postulations" (*iPleaders*, October 25, 2021) <https://blog.ipleaders.in/female-crimes-related-theories-and-postulations/> accessed April 20, 2022

²⁵ "Napa Syrup: Mother Poisoned Sons to Death, Say Police | Daily Star" (*The Daily Star*, March 17, 2022) <https://www.thedailystar.net/news/bangladesh/crime-justice/news/not-napa-syrup-mother-poisoned-children-death-brahamanbaria-police-2984946> accessed March 17, 2022

²⁶ Sehgal Diganth Raj, "Female Crimes: Related Theories and Postulations" (*iPleaders*, October 25, 2021) <https://blog.ipleaders.in/female-crimes-related-theories-and-postulations/> accessed April 20, 2022

²⁷ Gilai H, "Woman among Five Held for Two Property Offences" (*The Hindu*, February 17, 2021) <https://www.thehindu.com/news/national/andhra-pradesh/woman-among-five-held-for-two-property-offences/article33865829.ece> accessed April 22, 2022

- **Socioeconomic factor:** Every society has expectations and it refers a norm which is “do” or “do not” when cultural and sociological norms are violated deviance occurs.²⁸ By investigating studies shows about relationship between crime and microeconomic variables, related to the relationship between economic conditions and crime and recorded by some contradictory result by Diaw, Lobort, and Maldovan.²⁹ A statistics try to find out a solution about connection between socioeconomic and crime and point out the crisis about social environment which is Actually increasing the crime behavior.³⁰ To examine the relationship between crime and economic indicates that inflation, unemployment, Economic growth or level of poverty.³¹
- **Psychological factor:** Female crime plays a vital role of social problem, when woman is involving into any criminal activity then they are actually spread their criminal activity which is effect on the moral and society and woman are spreading crime more than man.³² Woman are suffering from various mental disorders, personality disorder, psychopathy, different types of phobias, anxiety, impulsivity, dementia, illusion, hallucination, depression and in USA woman are suffered from anxiety disorder twice than men. The violent behavior of woman is far differed from man, generally woman choose the relative and friends as a victim on other hand man are generally choose the strangers.³³
- **Biological factor:** Socio Biological factors which may influence to involve in criminal activity although there was no strong evidence indeed.³⁴ Although some authors are denied about biological factor for crime, it is relevant to understand the crime and biological reasons are more relevant to cause crime.³⁵

²⁸ Okafor CA and Uzoh BC, “SOCIO- ECONOMIC DETERMINANTS OF FEMALE CRIMINALITY AMONGST INMATES OF CORRECTIONAL SERVICES IN SOUTH-EAST NIGERIA | International Journal of Health and Social Inquiry”

²⁹ Diaw A, Lobont O-R and Moldovan NC, “Some Relevant Risk Factors and Causal Mechanisms to Understand Crime in Romania” 64

³⁰ Lobonț Oana-Ramona, Nicolescu A-C and Moldovan N-C, “Browse Journals by Subject”

³¹ Ibid

³² Ibid

³³ Bunch BJ, Foley LA and Urbina SP, “Psychology of Violent Female Offenders - A Sex-Role Perspective | Office of Justice Programs” 66-79

³⁴ “Biological Explanations of Criminal Behavior - PMC” (*PubMed Central (PMC)*, January 1, 2019) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6640871/> accessed April 17, 2022

³⁵ Ibid

- **Educational factor:** When we will search our history then we can see that man has committed more crime than woman.³⁶ But fewer decade woman was arrested more in U.S and one-third women were arrested for property and white-collar crime and one-fifth of women were arrested for violent offences.³⁷ people are thought that marriage is the ultimate solution of women rather than educated them but when an illiterate woman gets married then it has high provability to commit a crime.
- **Cultural crime:** Gender crime is viewed, and it's instigated by culture. Culture basically holds the tradition and contemporary view of a culture. To know about the cultural nature and norms are very important but maximum is created by customs, now a days it's tough to maintain, mix culture is harmful. Music and misusing the media increases the crime.³⁸

³⁶ Urbina J cano and Lochne Lance, "The Effect of Education and School Quality on Female Crime | Journal of Human Capital: Vol 13, No 2"

³⁷ Dodge M, "A Black Box Warning: The Marginalization of White-Collar Crime Victimization | Semantic Scholar"

³⁸ Relationship Violence and Culture - Women's & Gender Center" (*Relationship Violence and Culture - Women's & Gender Center*) <https://www.marshall.edu/wcenter/domestic-violence/relationship-violence-and-culture/> accessed April 17, 2022

CHAPTER III
CURRENT SITUATION OF FEMALE CRIMINALITY IN BANGLADESH, INDIA,
AND PAKISTAN

Bangladesh, India, and Pakistan these three countries are share their border each other and in previous era (British period) they were in same regime. After finishing the British period India and Pakistan separated and Pakistan were in two separated zone: East Pakistan and West Pakistan. So, in this description we can realize that these three countries are not only share their border but also share their culture, language, and law. Since they were in same regime and there was no border that's why they were engaged in each other and aftermath the nature of crime is remaining the same.

3.2 COMPARATIVE ANALYSIS IN FEMALE CRIMINALITY

- **The nature of female criminality in Bangladesh:** the statistics show that 36%, 48%, and 18.2% of female offenders, age are below 25 years, 26-48 years and 46 years old, and 42% female criminals are illiterate, 77% are married, 57.4% are housewives and 59% women income is 1000-5000 taka where the family member is more than 8-10, although female crime in Bangladesh is 18% less than men³⁹.

FEMALE CRIME RATE IN BANGLADESH

Female crime nature	Crime rate (%)
Trafficking related crime	42.7%
Drug trafficking	27.9%
Women and child trafficking	14.8%

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³⁹ Islam J and Khatun N, "On the Etiology of Female Offending in Bangladesh: Toward a Quest for Alternative Explanation"⁴⁰.

⁴⁰ Ibid

- **The nature of female criminality in Pakistan:** Females are involved in crime in Pakistan although Pakistan is a male dominated country. In Pakistan women were committed in six types of crimes -Drug, Trafficking, Murder of husband, Murder, Robbery, Theft, Child trafficking, extra marital relationships, among them 72% illiterate, 76% poor and depended to their husband, 5% old/ill/begging, 11% doing nothing or gambling.⁴¹

FEMALE CRIME RATE IN PAKISTAN

Female crime nature	Crime rate
Drug trafficking	26%
Murder of husband	25%
kidnapping	23%
Murder	18%
Robbery/theft	5%
Child Trafficking	2%
Extra-marital relationships	1%

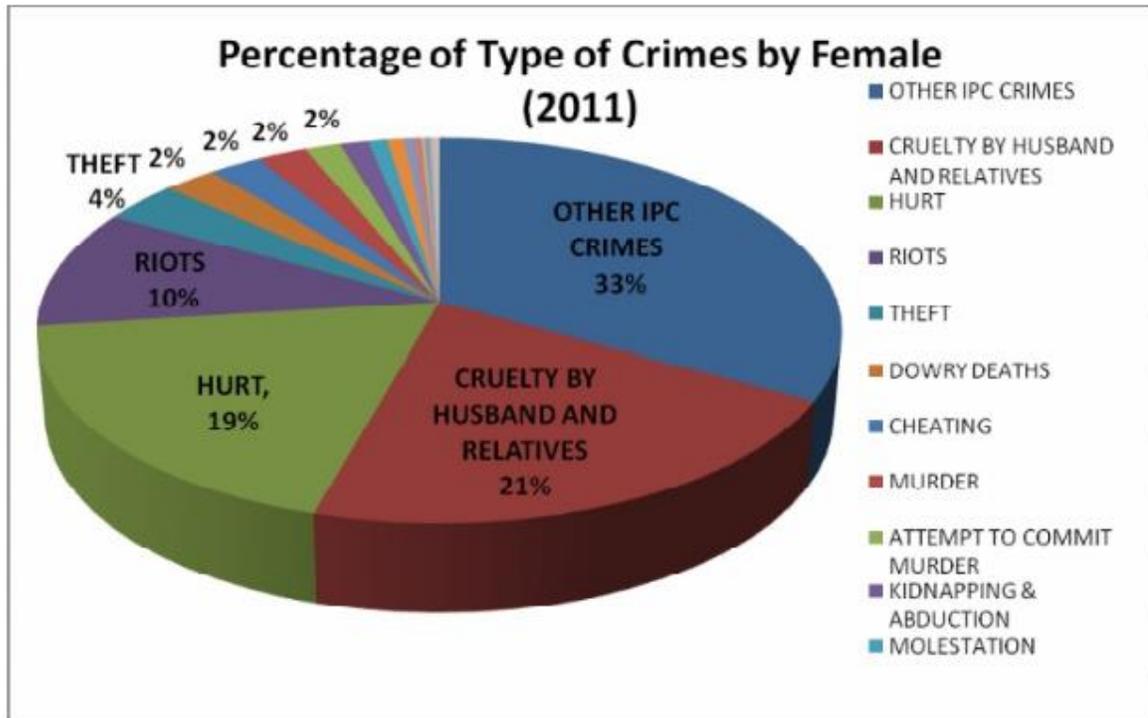
42

- **The nature of female criminality in India:** Government in India showed a data in 2001-2011 which was showing the increasing level of female crime rate, here showed that female was committed crime which was increased from 144608 to 193555 and in 2001 female crime rate was 5.4%, murder 4.6%, attempt to commit murder by female 2.6% and next one decade it increased which is shown by a diagram -1

⁴¹ Baloch GM, "(PDF) Female Criminals of Pakistan: Personal and Socio-Demographic Profiles | Dr Gul Baloch and Gul Baloch - Academia.Edu"

⁴² Ibid

Diagram 1: Percentage of type of crimes by Female (2011)



3.3 CASE STUDY ON FEMALE CRIMINALITY

3.3.1 BANGLADESH

Oishi case: The well-known case Oishee was alleged to kill for her Parents she mixed drug with coffee and after drinking this coffee when they were unconscious. At first police detained Oishee but she was under 18 according to her school record but after medical test proved that her actual age was 19 years old. She was killing her parents after taking drug and she was addicted. Oishee took help from Sumi but she was forced to making it. Since she was 11years old girl so her trail was happening in a juvenile court and after that court was granted her bail and back her to her mother.⁴³

⁴³ “Oishee Rahman given Death Sentence for Murder of Parents | Bdnews24.Com” (*Oishee Rahman given death sentence for murder of parents | bdnews24.com*, May 12, 2015) <https://bdnews24.com/bangladesh/2015/11/12/oishee-rahman-given-death-sentence-for-murder-of-parents> accessed April 17, 2022

Nusrat case: According to Nusrat murder case Poppy has confessed for his participation in the killing but firstly she arrested formally after that when she confessed to her crime than he got the judgement of death sentenced.⁴⁴

Rifat Murder case: According to Rifat murder case the female criminal Minni who were as a witness but after that court verdict that MINNI was the MASTERMIND behind the killing, Minni and noyon bond secretly married and she instigate him to kill Rifat Sharif.⁴⁵

According to the organization, there are roughly 100,000 female drug addicts in Dhaka. Meanwhile, according to data collected by the Dhaka Ahsania Mission (DAM) and released in June of last year, women account for 16% of all drug addicts in Bangladesh.⁴⁶

And there are so many cases about Drug, human trafficking etc. where female doing this crime and they are actually misuse the law and want to get extra benefit for being a woman.

In a narcotics case in Khulna, a lady drug dealer named Nasima Akhter who was sentenced to imprisonment. When the verdict was read in court, the accused was present. Khulna Additional District and Sessions Judge Court-1 judge Ashraf Uddin announced the verdict. The court also fined her Tk 5000 and sentenced her to three more months in prison if she did not pay.⁴⁷

⁴⁴ “Nusrat Murder: Police Formally Arrest Female Suspect Poppy | Banglatribune.Com” (*Bangla Tribune*, April 15, 2019) <https://en.banglatribune.com/others/news/40013/Nusrat-murder-Police-formally-arrest-female> accessed April 17, 2022

⁴⁵ “Minni ‘mastermind’ of Rifat Murder, Court Observes; 6 Including Her Sentenced to Death | The Daily Star” (*The Daily Star*, September 30, 2020) <https://www.thedailystar.net/country/news/rifat-murder-case-minni-5-others-sentenced-death-1970041> accessed April 17, 2022

⁴⁶ Hasan K and Farhin N, “Female Drug Abusers Most Vulnerable among Addicted Population” (*Dhaka Tribune*, April 1, 2018) <https://archive.dhakatribune.com/opinion/special/2018/04/01/female-drug-abusers-vulnerable-among-addicted-population> accessed April 18, 2022

⁴⁷ Correspondent KB, “Woman Gets Life in Khulna Drug Case” (*Daily Bangladesh*, May 18, 2022) <https://m.daily-bangladesh.com/english/Woman-gets-life-in-Khulna-drug-case/68974> accessed April 18, 2022

3.3.2 INDIA

In India from ancient period the position in society women progressive become worst. Basically, in Indo-Aryan speaking regions.⁴⁸ But During British period for favor of female many laws and Act were Enacted such as Bengal Sati Regulation 1829, Hindu Windows Remarriage Act,1856, Female Infanticide Prevention Act 1870. Women or sex discrimination and deprivation in India is prohibited by Indian constitutions and this is undertaken by Indian government.⁴⁹ Indian government ensure the female rights, dignity equality by constitutions of India and passing various statutes.^{50 51}

According to Land and Property rights most of the female do not get the father property.⁵²

Although Indian government give them enough facilities to women but women doing crime and they think that they will get extra benefit though they commit crime.

Case study-

Phoolan Devi aka The Bandit Queen⁵³- Phoolan Devi was working as a women right worker but she was several times raped and brutally used, she was targeted by upper caste people cause she was in low caste, she had been raped for 23 days by zamindar after that she kidnapped by a gang of dacoits a member of this gang (Vikram Mallah) married her as his second wife.⁵⁴ Then she joined that dacoits gang and commit murder.⁵⁵ Behind the reason To commit this brutal murder and join dacoity group is environment or her past experience she become more reckless. after that she agreed to surrender with few conditions such as -she surrendered with weapons before Durga

⁴⁸ Dyson T, A Population History of India (books.google.com.bd)

⁴⁹ Salini, "Protection of Women Under Indian Constitution" (*Buddymantra*, April 2, 2017) <https://buddymantra.com/protection-women-indian-constitution/> accessed May 17, 2022

⁵⁰ Parihar Lalita Dhar, - *Women and Law - From Impoverishment to Empowerment - A Critique* (2016th edn, lawbookshop.net)

⁵¹ Rao M, *EBC's Law Relating to Women and Childran by Mamta Rao: Buy EBC's Law Relating to Women and Childran by Mamta Rao by Mamta Rao at Low Price in India | Flipkart.Com* (2018th edn, www.flipkart.com)

⁵² "Women in India - How Free? How Equal" (*Women in India - How Free? How Equal*) <[http:// Banetji R](http://www.banetji.com), "9 Indian Women Who're Accused of Committing Heinous Murders!" (*IndiaTimes*, November 6, 2015) <https://www.indiatimes.com/culture/who-we-are/9-of-india-s-most-notorious-women-murderers-ever-246966.html> accessed March 17, 2022 ps://web.archive.org/web/20060911183722/http://www.un.org.in/wii.htm> accessed March 17, 2022

⁵³ Sen M., Kalyani, A.K. Shiva, *Women in India* (2009)

⁵⁴ Ibid

⁵⁵ Sen M., Kalyani, A.K. Shiva, *Women in India* (2009)

⁵⁵ Ibid

and Mahatma Gandhi picture rather than surrender to Madhya Pradesh Police.⁵⁶ After that she became a political leader.

Here is that law did not behave like law cause law never support any conditions but in favor of Phoolan debi law gave the chance and next Phoolan debi entered into the Indian politics.

Neha Verma case- Neha Varma was a beautification and fell others to her trap by friending and the victim Megha fell on her beauty and after when she made herself and prepared her a trusty person then committed robbery, Rahul and Manoj helped her and they killed Deshpande family and they stole Rs, 1.5 Lakh worth jewellery, two ATM cards.⁵⁷

Although Indian government ensured the father property for female but still female are involved herself to commit property crime.

3.3.3 PAKISTAN

Pakistan is an Islamic country and they respect every woman but after 1947 situation became complicated and they try to enact the inheritance law for female without discrimination.

Although they conscious about female empowerment but female Are also involved in crime.⁵⁸

Female were arrested for house hold crime 54% and 45% were involved in three types of crimes such as murder, kidnapping etc and rest of the female were involved in drug trafficking. In the interview of stakeholders who are drug addicted said that female is safe zone to transport of drugs⁵⁹.

In Pakistan Statistic shows that almost 75 female crime cases were tried in the principal trial court where 25 of them were convicted. The ruling ten cases are pending. No one facing death penalty.⁶⁰

⁵⁶ Sen M., Kalyani, A.K. Shiva, Women in India (2009)

⁵⁷ Ibid

⁵⁸ High Commissioner for Refugees UN, "Refworld | Women in Pakistan: Disadvantaged and Denied Their Rights" (*Refworld*, December 1, 1995) <https://www.refworld.org/docid/3ae6a99810.html> accessed March 17, 2022

⁵⁹ Baloch GM, "From Arrest to Trial Court: The Story of Women Prisoners of Pakistan" 158

⁶⁰ Ibid.

3.4 FEMALE CRIMINALITY IN BANGLADESH: RELEVANT LAWS AND FLAWS

According to nari o shishu nirjatan daman ain sec 17 provides about false case and punishment is 7years and fine is not specified on the other hand the punishment for rape is death sentenced or life imprisonment and also have dowry and acid throwing punishment under section 4,9,10,11 and section 11(a) also mention that if a person trying to murder for dowry the punishment also will be life imprisonment.

Under section 375 of penal code said about Rape and provided the definition of Rape and according to this definition if a female can show this sign, it will be proved but now a days the scenario is changed sign may be fabricated or false. Although it will be proved as false case but the victim of false case suffering from social value and that person lost his reputation.

On the other hand, section 17 provides about false case and punishment there will be no specific fine but sometimes it takes more time to proof the false case so the victim of false case will be suffered more and when it will be the rape case the punishment should be more specific cause the real case is covered by false case.

Section 497 of penal code provides about Adultery and its punishment where male is intercourse with a married woman without consent of her husband the punishment will be for only that male person who intercourse with that woman but woman cannot be punished for this although she is interested and instigated.

In the present conditions of female maximum crime is for adultery even though they kill their child and in laws family member.

Today's false cases are filed by female under the Nari o Shishu Nirjaton Daman Ain 2000 which is misused by female, and they are sure about their protection the law enacted.⁶¹ To file a dowry case under section 11(ga) of Nari o Shishu Nirjaton Daman Ain contain two conditions 1. Dowry must be demanded by accused 2.the victim must be assaulted.⁶²

⁶¹ Ahmed Tasmiah Nuhiya, "When a False Accusation Is Made" (*Dhaka Tribune*, July 27, 2019) <https://archive.dhakatribune.com/opinion/op-ed/2019/07/28/when-a-false-accusation-is-made> accessed May 1, 2022

⁶² Ibid

In Subroto Halder Vs The state 2014 34BDL High court Division 635 in this case demand of dowry and assault was not proven which was the allegation and later court ordered that according to section 11(ga) is not sustainable.⁶³

Section 17 provides about false case who files the false case intentionally or knowing about no ground here the punishment will be rigorous imprisonment and not more than seven years and also fine.⁶⁴ Although false complaint has punishment, so provisions make it clear that dowry related offense has a remedy when the case is only proven false, but court must be hold that the case totally baseless and false case was filed with intentionally.⁶⁵

3.5 COMPARISON BETWEEN THE COUNTRIES IN MATTER OF SOCIAL AND LAW ENFORCEMENT

3.5.1 INDIA

When succession law was first codified, from 1956 all women holding the equal right to their father's property. Justice Arun Kumar Mishra said that "Once a daughter always a daughter... son is a son till he is married." So, daughter must get the equal right as son whether father is death or not.⁶⁶

According to property law Indian government gave the land ownership right to Hindu women, through this right woman can hold the self-confidence and financially stable and they will not go to snatch the others property. It was a very important step which can stop to commit female from property crime.

According to Mahatma Gandhi "Hate the crime and Not the criminal".⁶⁷

Indian's prison identifies some of the problems in women prisoners.

⁶³ Ahmed Tasmiah Nuhiya, "When a False Accusation Is Made" (*Dhaka Tribune*, July 27, 2019) <https://archive.dhakatribune.com/opinion/op-ed/2019/07/28/when-a-false-accusation-is-made> accessed May 1, 2022

⁶⁴ Ibid

⁶⁵ Ibid

⁶⁶ India's Supreme Court bolsters inheritance rights for Hindu women

⁶⁷ Prabhune A, "A Legal Analysis of Rights of Female Prisoners Under Constitution of India" (*A Legal Analysis of Rights of Female Prisoners Under Constitution of India*, 00, 2019) <https://www.legalserviceindia.com/legal/article-2111-a-legal-analysis-of-rights-of-female-prisoners-under-constitution-of-india.html> accessed May 1, 2022

- Female health care and welfare.
- Custodial rape.
- Sanitation problem.
- Accommodation problem.

Prison work as a reformation center for a criminal so the environment of the prison should be healthy and sound.

In India women are getting scope in sports, there are many legendary Women in sports in India. In cricket, football, golf, skating etc. and women participated in the Olympic games. women could participate in “feminine sports’ event.”⁶⁸

The scope of sports event for female takes them far from committing crime, its works as a socialization.

3.5.2 PAKISTAN

According to The Zina Ordinance the Rape victim face huge risk to proof of rape, it’s extremely difficult to establish this cause if it is unable to proof of rape fact then for filing a false case the sentenced will be 10 years so in jail.⁶⁹

Pakistan prepared three names of women’s prison.⁷⁰

- Women s prison Karachi.
- Women s prison Hyderabad.
- Women s prison Larkana.

This is actually showing the concern about female crime.

⁶⁸ Bhatti A, “Top 25 Greatest Women in Sports in India: Stories of Determination” (Voice of Indian Sports - KreedOn, November 23, 2021) <https://www.kreedon.com/women-in-sports-in-india-stories-of-struggle-and-inspiration/?amp> accessed May 1, 2022

⁶⁹ International A, “Women in Pakistan: Disadvantaged and Denied Their Rights” (*Refworld*, May 17, 2022) <https://www.refworld.org/docid/3ae6a99810.html> accessed May 2, 2022

⁷⁰ Ibid

Since Pakistan is a patriarchy society so they do not want to educate female and most of the illiterate female are commit crime and family gave them early marriage and then sometimes they joined the family crime.

3.5.3 BANGLADESH

Bangladesh also have taken some steps to stop female criminality through Organizations and law and social implementations.

Article 28 of the Bangladeshi constitution declares that all citizens must be treated equally regardless of gender, ethnicity, race, or other factors. In Article 19(3), it also emphasizes gender equality, saying, "The State shall endeavor to achieve equality of opportunity and involvement of women in all aspects of national life." In all state and public sectors, women must have equal rights to men, according to Article 28(2).

case, recommended towards to get this opportunity some females are taking that advantage and called it equality.

Observation of the present situation judges are verbally recommended that the police not to record about any sexual violence cases after 72 hours. When judges pronounced the verdict of Banani raintree police officers and acquitted Apan jewellers' owners' son Shafat Ahmed and all five accused.⁷¹

Bangladesh already have solved the many others case like Minni case, Nusrat case (Popy) and about drug carrying matters try to give the best effort and conscious about searching.

Many organisations UNODC, Ashokti Punorbashon Nibash (APON) Society for community - health Rehabilitation Education and Awareness (CREA), Dhaka Ahsania Mission (DAM) they work for giving intervention for female whose Are taking drug and with their partners.⁷²

⁷¹ "Observation on Rape Case: 72-Hour Time Limit Not in Full Judgment" (*The Daily Star*, November 17, 2021) https://www.thedailystar.net/news/bangladesh/crime-justice/news/observation-rape-case-72-hr-time-limit-not-full-judgment-2232521?fbclid=IwAR1eHes-ipD762PA_d_86m34E3zfEhbdiA7eOLaxSJy6_L3b6xSCpkYuq8Q accessed May 1, 2022

⁷² "Bangladesh: Unveiling the Hidden Tale of Women Affected by Drugs" (*UNODC*) <https://www.unodc.org/southasia/frontpage/2010/november/launch-of-report-on-female-drug-users-and-female-regular-sex-partners-of-male-drug-users-in-bangladesh.html> accessed May 2, 2022

On the other hand, the participating of female in officers or police is not satisfactory. In 2021 January, shows that the participating in police sector is Too much low than male but in female criminal investigating need more female police but lack of this sometimes it wasn't proper investing or searching of female criminal properly.⁷³

We can see in this section that females strive to seize their scope in a deceptive manner because they are aware of their protection and facilities.

⁷³ Amin N and Chowdhury Z, "Women in Police: Participation Increases, but Not Responsibilities" (*The Business Standard*, March 8, 2021) <https://www.tbsnews.net/women-empowerment/women-police-participation-increases-not-responsibilities-212659> accessed May 2, 2022

CHAPTER IV FINDINGS AND RECOMMENDATIONS

Female criminality this word focuses the weight of thinking about female, favor of law, misusing the law, backward female story, oppressions turn into an anger and female are influenced easily by others.

4.1.1 FINDINGS

- **Pending false case:** In this comparative study if we notice that women were mostly involved with the filing false case. In Bangladesh women were mostly involved with this and try to take extra loopholes of the law which was for them NARI O SHISU NIRJATAN DAMAN AIN, PENAL CODE (RAPE PROVISION) etc. In case of Indian perspective false case example were available which is related to Rape, so filing a false case is also a crime which is mostly committed by female.
- **No social awareness:** Female are also involved in crime and there was no awareness in society that would be concerned people about female criminal.
- **Lack of education:** In remote area the female is still remain illiterate and when they found out work for Living hood then they involved with crime.
- **Still remain early marriage:** Illiterate people from remote area and also city people give their girl early marriage and sub consciously they involved in family crime.
- **Lack of participating as female officers:** since they are far from education so they cannot cherish dream to touch these professions.
- **Lack of standardization of female prison:** compare with others two Countries our prison is not standardized. Prison can reform a Criminal so It should be standardization.

4.1.2 RECOMMENDATION

Prevention is better than cure so after crime the result never will be changed so people, government and society have to think about taking this preventive measures.

1. To increase awareness about legal action and female are also punished for committing crime.
2. To remove gender discriminations because deprivation may create the criminal mind and increase the female criminality.

3. Female education has to be compulsory for all cause education help taking decisions.
4. Do not give marry girls in early it becomes created family crime cause in case the girls in juvenile they cannot accept anything easily and they became violent to others.
5. The law must be strict for everybody, and gender bias should be removed.
6. According to Nari o Shishu Nirjaton daman Ain (section 17)the victim of false case should be given remedy cause sometimes only imprisonment cannot prevent this fraud and victim of false case suffers a lot from socially and financially so it will be quite good initiative to prevent this.
7. According to adultery provision 497 of Penal code provides that without consent or convince to a female who believe to her as a wife, in this case the male will be punished, and women shall not be punished as an abettor. In this situation the women can escape from their fraud and maximum time these women are killing her husband for others men.so, here female should be punished rather this crime will not be stopped. Women taking beneficiaries from this section 497 of penal code. In this time to amend this provision to prevent the female crime.
8. According to PENAL CODE section 375 said about Rape, this provision contains the definition with six descriptions like consent, will, fear of death or hurt etc. and also added that if female is injured, bleeding from vagina, or absence of any injury of male organ is not counted as a valid ground. The reformation needed in that point to mention to the original Code about medical test in properly cause now a days female file false case to show their injuries but there were no provisions about it.

CHAPTER V CONCLUSIONS

Since female get more opportunity from the society and country pass the Act, order for them to give or relief from violence against them. But some females try to grab this opportunity wrongfully and as we can share our border with India and India share with their border with Pakistan that's why crime nature Will be the same nature.

But it was a global problem and still now world suffering this female criminality cause when female is violent to others society cannot pay the attention as a result crime spreading out through this female criminal. As we know that female is mother figure and in this sub-continent, they become more deprivation and exploitation that's why female was in backward section and after a long period of suffering They try to survive and decide to commit crime.

Bangladesh, India and Pakistan they pass several laws and Act for favor of female but some lacking laws females are misused this, but society already have suffered a lot. So, all authorities should have concerned about this lacking

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