

Japanese mother can't take children abroad: SC

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Online Desk: The Appellate Division of the Supreme Court on Thursday ordered to maintain the status quo on taking the two Japanese children of Bangladesh-born US citizen Imran Sharif and Japanese national Nakano Erico out of the country. A seven-member bench of the Appellate Division, led by Chief Justice Hasan Foez Siddique, passed the order and asked the authorities concerned to dispose of the appeal petition filed by Sharif, seeking guardianship of the two children, within three months, reports UNB.

With this order, Nakano Erico can't leave the country for Japan with her children Jesmin Malika and Laila Lina. Senior Lawyer Barrister Azmalul Hossain KC and Advocate Mohammad Shishir Manir stood for Erico while Barrister Akhtar Imam and Barrister Rashna Imam represented Sharif. Advocate Rashna Imam said Erico cannot take her children without the permission of the Appellate Division.

The two children will stay with their mother, a family court said in its judgment on January 29. Durdana Rahman, judge of Dhaka's Second Additional Assistant Judge and Family Court passed the order. The younger of the two children was living with her father from the beginning. On February 2, this year, Erico lodged a general diary with Gulshan Police.

Later, Dhaka Metropolitan Magistrate Mamunur Rashid heard the younger child personally. The court also ordered to keep the child with her father and mother every alternate day until the case is disposed of. Sharif filed an appeal petition challenging the court order. After 12 years of marriage, on January 18, 2020, Eriko, a physician, appealed for divorce from Engineer Imran Sharif.

On January 28, 2021 she also filed a case with a Tokyo family court for custody of their three children.

But on February 21, 2021, Imran returned to Bangladesh with their two daughters from Japan. Meanwhile a Japanese court passed a verdict putting the children under their mother's custody.

On August 19, 2021 – days after coming to Bangladesh – Eriko filed a writ petition before the High Court here seeking custody of the two girls.

On November 21, 2021 the HC bench of Justice M Enayetur Rahim and Justice Md Mostafizur Rahman ruled that the Japan-born daughters of Imran and Eriko would stay with their father. However, the mother could exclusively meet the daughters, aged 11 and 10, three times a year for 10 days at a time and Imran, the father, will bear her travel and accommodation expenses, said the court.

On February 13 last year, the Appellate Division ordered that the custody of the two girls will be decided by the family court and until then the two children will remain with their mother. Eriko tried to leave Dhaka with her daughters on December 23, 2022. She was turned away by the police from the airport after she tried to take the children in defiance of court orders.