

# The Reasons of Excessive Occurrences of Rape in Bangladesh: Examining the Socio-Legal Perspectives and Judicial Loopholes

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## Abstract

Rape has become a significant socio-legal challenge in Bangladesh, and its persistent incident despite the present legal remedy needs a critical evaluation of the socio-legal perspectives and judicial lacking indulging to the crime. This study aims to evaluate reasons of excessive rape incidents from socio-legal perspectives by examining the underlying social reasons, legal default, judicial delay, and organizational lacking associated with rape cases in Bangladesh. It employs a qualitative socio-legal research method based on secondary sources like laws and policies, judicial precedent, academic journal, books, human rights reports, and newspaper. In this qualitative research the authors have tried to understand the various factors of excessive rape occurrences in Bangladesh and emphasizes the efficacy of existing legal framework, police investigations systems, forensic limitations, judicial delays, and survivor protection mechanisms regarding rape in Bangladesh. The finding of the study explains that rape in Bangladesh is deeply rooted in survivor blaming culture, economic conditions of sufferer, political interference, lack of organizational accountability, investigation default, lack of forensic facilities, low conviction ratio, secondary victimization of sufferer during legal process, and judicial delay for execution of judgment. It suggests that combating rape in Bangladesh needs an integrated socio-legal approach involving legal reform, organizational accountability, public awareness, survivor protection, avoid unnecessary query to victim, modernization of police investigation and update of forensic and judicial procedures.

**Keywords:** Judicial Delay, Police Investigations, Rape, Socio-legal, Victim Protection

## 1. Introduction

Rape is one of the most dangerous violations of human rights and individual dignity, impacting the physical, psychological, social, and economic conditions of victim. Although there are available of stringent laws, victims have faced institutional hindrances, adding improper investigations, lack of survivors support, and procedural barriers that hamper access to justice (Alam et al., 2026). Therefore, judicial delays and deadlock case filing procedures weaken people's confidence in court system and decrease the deterrent effect of criminal punishments (Karim, 2026). Moreover, to prevent tremendous rape incidents need to identify efficacy legal reforms (Islam, 2026).

In Bangladesh, rape and violence against women have increased as alarming rate that need to take proper action against these offences. In recent decades, the incidents of rape case turn into like a cancer for future nation. Several reports by human rights institution, media reports, and government agencies indicate that women and children are especially unprotected to sexual violence in both village and city areas. Despite the enactment of rigorous legal rules and severe punishment, covering the death penalty for rape under the Women and Children Repression Prevention Act, 2000, occurrences of rape continue to increase. Because, most of the rape case trial has hung up for long time without pronouncing the judgment or execution of judgment. Besides, there are lacks of example to execute the



death penalty for rape so that public can keep confidence on judicial system. This circumstance raises questions about the efficacy of existing laws, role of law, enforcement institutes, judicial efficiency, and socio-cultural activism in Bangladesh. Victims of rape often encounter social disgrace, family pressure, reactions of society, and threats from offenders, which discourage them from reporting occurrences or seeking the legal compensation (Miah et al., 2025). In villages, local political party and influential people often secure the offenders from legal accountability (Banarjee, 2020). As a result, the victim and his family repeatedly face intimidation and threat to compromise rather than seek legal remedies. The expanding of cyber harassment, online pornography, and gender-empathy media representation has furnished to the objectification of women. The researcher explores that these incidents indirectly liable for encouraging sexual aggression and harassment. According to the opinion of feminist scholars, rape should not merely as a personal criminal occurrence but as a manifestation of basic gender inequality (Hossain, 2020).

The study explores only in Bangladesh context and does not cover comparative examine with other countries. Although there some confined limitations, the study explores an important socio-legal assessment of issues on tremendous rape incidents in Bangladesh. Although there are available strict laws and rigorous punishments, rape occurrences in Bangladesh ongoing at an alarming rate that is the danger for human rights, gender equality, and justice. Socio-culture trends, survivor blaming, gender inequality, secondary victimization factors, institutional loopholes, and judicial delay indulge to increase for rape incidents in Bangladesh. The study seeks to explore the excessive incidents of rape in Bangladesh by examining the socio-cultural causes, legal framework, judicial delay, and organizational challenges.

## 2. Literature Review

Rape has appeared as one of the most challenging socio-legal problems in Bangladesh. Although there are constitutional securing of equality and a lot of legal rules like Women and Children Repression Prevention Act, 2000, occurrence of rape is still running as an alarming rate. The Daily Star published a report where identifies that the rape cases repeatedly remain unsolved for years, while ratio of guilty is decreasing as an alarmingly (Khan, 2025). The study on rape in Bangladesh basically focuses on socio-cultural reasons, legal framework, failure of institution, and hindrance for justice. The researcher has also explored the role of gender discrimination in sustaining violence against women. However, the study identifies extensive socio-legal explanations including judicial loopholes with limitation of social realities.

Therefore, the study indicates hegemony as the core reasons of rape and violence against women in Bangladesh. According to opinions of feminist scholars, patriarchal terms organize male dominance and female subordination, encasing a circumstance where violence against women becomes naturalized (Miah et al., 2019). Women are repeatedly deceived as objects of control, while society outlooks most of the time blame victims rather than offenders. Hence, social ignominy is one of the core hindrances for stopping survivors from publishing rape occurrence. The victims are often fearing social dignity, harassment of other family members, threats from offender, and insecurity of finding justice. According to the report of Bangladesh Mahila Parishad, adolescent girls are facing sexual violence in Bangladesh (Bangladesh Mahila Parishad, 2024). Most of the studies also identify the reasons of poverty, unemployment, drug addiction, and lacing of religious education on enlarging rape occurrences.

The legal framework regarding rape in Bangladesh basically consists of the Penal Code, 1860 and the Women and Children Repression Prevention Act, 2000. The act introduced stricter punishments, adding life imprisonment and capital punishment for rape related crimes. In 2020, the government

amended the law to add the death penalty for rape following expending public protests against sexual violence (Ganguly, 2020). But several scholars identify that the strict punishment alone cannot properly decrease rape unless efficacy implementation exist. The researchers emphasize that corruption, political interference, weak investigation, and judicial procedure delay, lack of example of effective punishment for rape significantly diminish the efficacy of rape laws (Naomi, S. S., 2009). The researcher has also criticized the legal definition of rape that is so much narrow and back dated in Bangladesh. The legal framework is absence gender neutrality, omitting adult male rape victims from complete protection (Alam et al., 2023).

Legal expert comments that the loophole of prove of rape cases is evidentiary stipulations for a victim. The judiciary basically depends on medical evidence and witness statement, even though rape normally happens in private palace where most of the time witnesses are absent. Delay publishing the medical report, lack of forensic facilities, and incomplete evidence significantly turn into weakens victim's case. Judicial delay is one of the most important loopholes in the literature on rape in Bangladesh. Thousands of rape cases remain undecided before Women and Children Repression Prevention Tribunals (Khan, 2025). Many sufferers withdraw their complaints due to poverty, social disgrace, political threat, and emotional trauma (Ety & Mia, 2024). Police investigations are also denounced in existing literature. A recent study on rape investigations in Bangladesh indicted that investigator often has given the training of investigation on any case, lack of forensic facilities, and gender-sensitive tactic (Hasan et al., 2024).

Most of the researchers emphasize that victims repeatedly experience embarrassing treatment at the time of police investigations and court trial. Questions concerning a victim's character, sexual history, and morality often generate to psychologically secondary victimization. Such circumstances discourage reporting and support to seek justice against the offenders (Carroll, 2021). Forensic capabilities are also a core institutional challenge. Studies on forensic medicine in Bangladesh remain the truancy of proper laboratory facilities, lack of trainer expert, and backdated forensic equipment (Haiqing et al., 2025).

Despite several literature exists concerning rape and violence against women in Bangladesh, there are important research gaps remain. Most of the researchers focused on individually on either socio-cultural reasons or legal framework. Very few studies amalgamate both social realities and judicial lacking within an extensive socio-legal framework, including forensic weakness, police negligence, and lack of eye witness.

### 3. Methods

This study aims to identify and verify factors behind the excessive incidents of rape in Bangladesh by examining socio, legal, and judicial perspectives. The study adopts an integrated doctrinal and socio-legal qualitative research design. The doctrinal dimension involves systematic analysis of legal texts, statutes, and judicial decisions, while the socio-legal dimension situates these legal frameworks within broader social and institutional contexts. This dual approach enables a comprehensive examination of both the normative legal landscape and the structural factors that shape rape incidents and their adjudication in Bangladesh.

Bangladesh was selected as the focal jurisdiction given its persistently documented challenges surrounding rape incidence, institutional deficiencies, and the need for closer scholarly scrutiny of its legal responses within a socio-legal framework. The study relies on secondary sources of data collected from journals, academic books, relevant NGO and government reports, including the Constitution of Bangladesh, the Penal Code, 1860, the Women and Children Repression Prevention Act, 2000, the

Criminal Law Amendment Act, 2020, judicial decisions, research articles, and newspaper reports. These sources were selected based on their relevance and capacity to illuminate the legal and social dimensions of rape-related institutional failures in Bangladesh.

Data collection was carried out through documentary review, wherein sources were assessed for thematic relevance. Analysis followed a thematic approach, whereby recurring patterns pertaining to institutional accountability, judicial delay, forensic inadequacy, and survivor protection were identified and interpreted in relation to the prevailing legal framework.

The study also identifies the role of law enforcement, forensic modernization, survivor protection, execution of judgment, and the efficacy of existing rape law and punishments, guided by the following research questions: first, how do institutional and socio-cultural issues contribute to rising rape incidents; second, to what extent do prolonged judicial processes contribute to the escalation of rape occurrences in Bangladesh; and third, what legal reforms are necessary to ensure accountability, prevention, and justice for survivors within the existing legal framework. It is acknowledged that exclusive reliance on secondary data constitutes an inherent limitation of this study, as it precludes the incorporation of primary empirical insights from survivors, legal practitioners, and institutional actors.

## 4. Results and Discussion

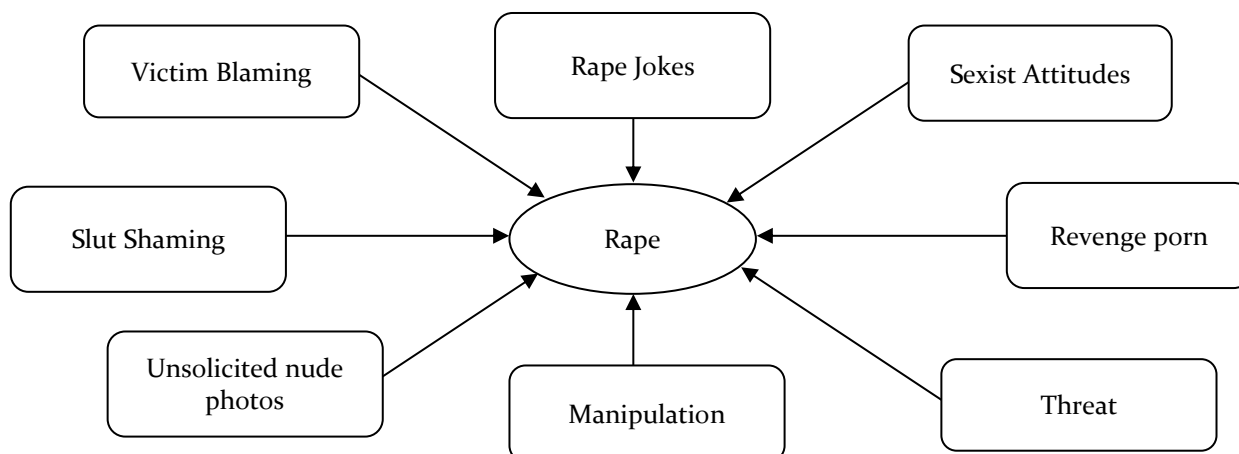
### 4.1. Research Results

The study finds that rape is not only a criminal issue but also an international human rights violation, arising from a socio-legal crisis marked by judicial delay, weak legal enforcement, and organizational inefficacy. Most rape incidents remain pending due to shortages of judicial experts, court delays, lack of training among judicial officers, and inadequate forensic evidence combined with improper police investigation. Although the Bangladesh government has recognised rigorous punishment such as the death penalty, the occurrence of rape continues due to numerous institutional loopholes, weak implementation, low conviction rates, and the absence of any executed death sentence for rape. Secondary victimization further compounds these challenges, as survivors are repeatedly compelled to recount their experiences during court proceedings and police investigations, reducing their access to justice (O. Barua, 2024). The study emphasizes that institutional reform; bringing institutions under accountability, establishing gender-based judicial mechanisms, training investigating police officers, and appointing medical experts on forensic matters, is essential. Despite the availability of rigorous punishments, victims continue to suffer from poor implementation, corruption, political or social interference, court delays, and inadequate survivor protection. The following subsections examine each of these dimensions in turn, beginning with the socio-cultural context that sustains rape culture in Bangladesh.

#### 4.1.1. Society Culture Appraisal

Socio-cultural appraisal is connected with social norms, cultural trends, and organizational exercises those types of attitudes and behaviours in a society. Some socio-cultural factors like patriarchy, gender discrimination, and survivor blaming are liable for sexual violence. Acceptance of violence against any women and gender discrimination behaviour indulge to experience apex rate of rape incidents (Heise, 1998). Most of the time, Family dignity and stigmatic survivors often disinterested for reporting and scopes of facilities for criminals (Jewkes et al., 2013). Moreover, enlarging gender attitudes within social and legal organizations may hinder for efficacy of increasing rape occurrences and lock victims access to justice (Beshears et al., 2019). At last, the study analyses that socio-cultural

appraisal is important core factors of rape incidents in Bangladesh. As illustrated in Figure 1, rape incidents are closely connected with socio-cultural factors and prevailing social norms (Wilson, 2024).



**Figure 1. Rape incidents are connected with social culture**  
 Source: Author own compilation with relevant data (Wilson, 2024)

Rape culture interrelates with social attitudes, belief, and exercises that normalize sexual violence. The study explores that rape culture is sustained by victim blaming, threat, manipulation, unsolicited nude photos, revenge porn, slut shaming, sexist attitudes, and rape jokes. It emerges that there are absent the word of “No” where needs to clear, voluntary, and individual agreement. The researcher highlights the bad practices of rape culture regarding victims’ stigmatization, gender discriminations, and unprotected from sexual violence. To protect the sexual violence, the study indicates education, aware of people, accountability of offenders, support for victims, positive media information, and rising community awareness.

#### 4.1.2. Religious View on Rape Occurrence

Rape is considered a grievous sin in most of the religious including as gross violation of human honour, morality, and justice. Rape is called an inhuman and dangerous sin in Islam as a violation of Shariah. Muslim religion emerges on the women dignity, protection and security by enacted rigorous punishment for any types of sexual violence. The holy Qurans verse explain that you can’t force your slave women to intercourse if they have no consent (Qur’an 24:34). It indicates that without consent sexual relation with slave is absolutely forbidden. Besides, with consent any types of sexual relation without marriage are sin (Qur’an 5:33). The holy Qur’an elucidates that the believers should to live with women in dignity and kindness (Qur’an 4:19). The Prophet Muhammad (peace be upon him) also highlights women’s dignity and rights and states that he is the best who is the best of his wife (Jami’al-Tirmidhi, Hadith 1161). Sunan Ibn Majah explains that there are prohibitions all types of harm for any women (Sunan Ibn Majah, Hadith 2341). The Islam emphasizes strict rigorous punishment regarding rape and violence against women for ensuring human rights and dignity.

Hindu religion also emerges on the honour and respect of women and sentence all types of violence against them. The Manusmriti explains that God is present where any women are honoured (Manusmriti 3,56). Besides, Mahabharat states that any bad types of women indulge to destroy her family and society (Mahabharat, Anushasana Parva). Hindu philosophy states that the doctrine of Ahimsa forbid due to harmful physical, emotional, and sexual intercourse to any person. Therefore, Hindu ethical and religious views do not support any types of violence against women and rape incidents as violence of women morality, respect and social justice.

Christian religion emphasizes on condemn of all types of violence and sexual harassments to ensure dignity as human being. The Bible states that every people are created as the image of God for ensuring the principle of equal rights and dignity (Genesis 1:27). The believers are instructed to love and respect your neighbour to protect women from any forms of sexual violence (Mark 12:31). The New Testament also emphasizes men to love and respect for women with care (Ephesians 5:25). These indicate that any violence against women is prohibited in Christian including rape incidents to ensure values of love, respect and dignity.

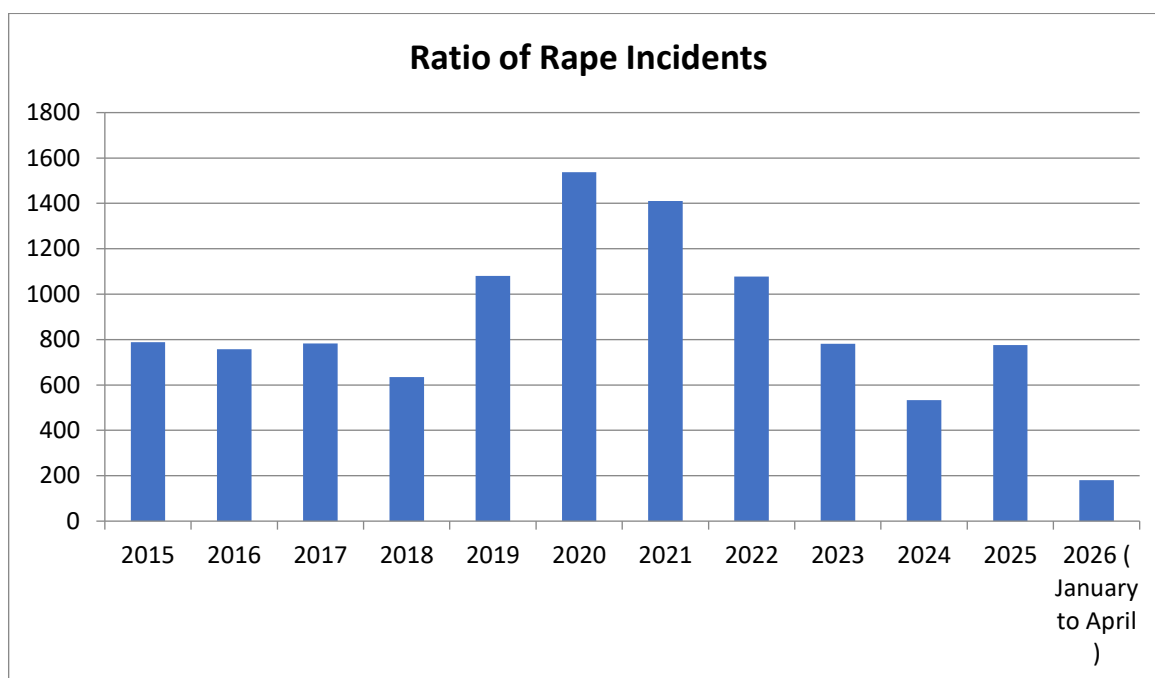
There are none of religions that support rape and violence against women for violates human rights, women dignity, respect and social justice. Religious outlook explores the mutual respect, consent, and protection of women from sexual violation that is incompatible with religious values (Engineer, 2001).

#### 4.1.3. Legal Framework and Its Lacking

The study examines legal framework concerning rape and women violence in Bangladesh with various limitations. There are various existing laws which are enacted regarding violence of women and children in Bangladesh including sexual harassments and rape incidents. The Constitution of the People's Republic of Bangladesh ensures equality before the law and forbids all types of discrimination especially sex (Constitution of Bangladesh, A- 27 to 28). The primary existing law concerning rape and sexual harassment is the Women and Children Repression Prevention Act (amended in 2003 and 2020), which states rigorous punishment including life imprisonment and the death penalty for rape. Besides, the Child Marriage Restraint Act, 2017, the Domestic Violence Act 2010, and the Pornography Control Act, 2012 explain legal surety to protect from sexual violence.

Although there is rigorous punishment like life imprisonment and death penalty for the offence of rape occurrence under the Women and Children Repression Prevention Act, 2000, the law remains loopholes in several spaces. One important issue is regarding the narrow definition of rape under Bangladeshi law. Enacted laws indicate as sexual violence of penile vaginal penetration and revoke other violence. There is a lot of lacking such as gender neutrality, revoking adult male sufferers from legal protection (Alam & Abbas, 2024). Another significant issue includes evidentiary requirements in rape cases. Court repeatedly emphasizes on medical report and eyewitness of rape incidents which is most of time unavailable. Delayed medical report, lack of forensic facilities, and poor evidence grounds importantly weaken the sufferer cases. In Bangladesh, the legal framework regarding rape governed by the Women and Children Repression Prevention Act (WCRPA), which was importantly amended in 2020 to impose more rigorous punishments, adding life imprisonment or the death penalty for rape. According to section 09 of the Act, engaging gang rape, custodial rape, or death after rape of the survivor, notifies the punishment for rape. This Act is complimented by the Penal Code, 1860 which indicates the definition of rape under section 375, categorising it as sexual intercourse without permission, against a woman's will or by putting her intimidation of death or hurt.

Despite Bangladesh introduced an important legal reforms by removing section 155 (4) of the Evidence Act, 1872 to save rape victims from humiliating query, consistency judicial delays, poor investigations, lack of forensic scopes, threat to witness, social stigma, and inadequate survivor support system ongoing to hinder efficacy justice, indicating the emergency necessary for comprehensive socio-legal and organizational reforms (The Daily Star, 2026).



**Figure 2. Rape occurrences in Bangladesh over the last 10 years**

Source: Author own compilation with relevant data

The statistics in the Figure 2 shows that the ratio of rape incidents in Bangladesh from 2015 to April 2026 based on collected from Ain o Salish Kendra (2026) and Odhikar Foundation reports. The statistics expose significant fluctuations in the occurrence of rape over the last 10 years, pointing socio-legal and institutional failures in protecting violence against women in Bangladesh. The figure delineates that rape remains a challenging social and human rights issue in Bangladesh. The statistic exposes that about 9,290 rape cases were reported in Bangladesh last decades, with an average of approximately 774 cases yearly. The study elucidates an important fluctuation in rape incidents over the years, with the highest number showed in 2020. The statistic indicates that rape cases are increasing an alarming rate up to 122% due to weaknesses in law enforcement, social taint, lack of victim protection system, and judicial delays. The statistics clearly identify that is the crying need to take proper steps for stronger legal enforcement, efficacy judicial transparency and accountability, creating public awareness, and strong victim support.

#### 4.1.4. Case Analysis

In this case, the prosecution alleged that Delwar Hossain, known locally as the leader of the "Delwar Bahini" group, repeatedly raped a woman in Begumganj, Noakhali, through threats, intimidation, and sexual violence. The incident gained nationwide attention after a video showing the victim being assaulted went viral on social media in 2020. Subsequently, the survivor filed a rape case against Delwar Hossain and his associate, Abul Kalam, under the Women and Children Repression Prevention Act, 2000.

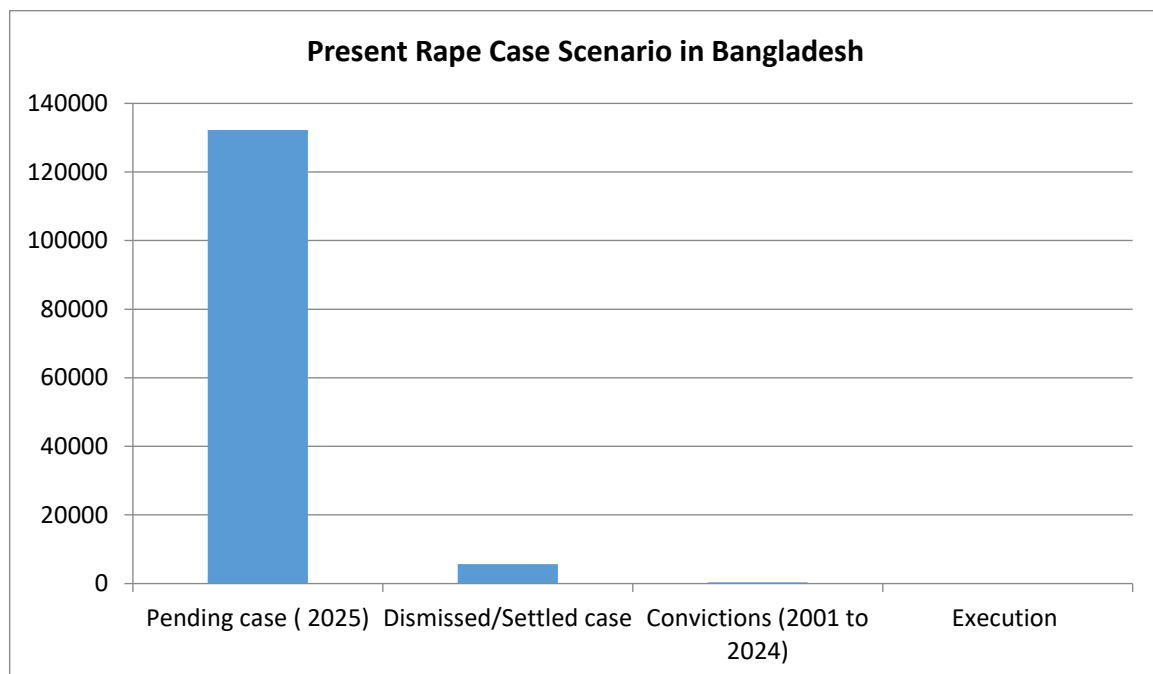
The prosecution presented several forms of evidence before the court, including medical reports, witness statements, and police investigation reports. On 4 October 2021, the Noakhali Women and Children Repression Prevention Tribunal found both accused guilty and sentenced them to life imprisonment along with monetary fines.

This case highlights the socio-legal challenges and judicial delays associated with rape cases in Bangladesh. It demonstrates shortcomings in law enforcement and delays in judicial proceedings that can hinder the effective administration of justice. The offender's influence over the victim and the

surrounding community further obstructed the judicial process, illustrating how social power dynamics, inadequate victim protection mechanisms, and procedural delays can affect the pursuit of justice in rape cases. Therefore, this case serves as a significant example of the socio-legal barriers and judicial loopholes that continue to challenge the effective enforcement of rape laws in Bangladesh.

#### 4.1.5. Judicial Proceeding and Its Obstacles

The main hindrance to justice for rape survivors is the judicial delay. Thousands of rape cases remain hanging before the court for years, indulging to psychological and economical suffering for victims and their families (Khan, 2025). The study analyses that lengthy legal processing discourages sufferers from continue cases. Besides, poverty, social dishonour, threats from offenders, and frequent court appearances force to revoke complaints or agree for compromising outside of the court (Ety & Mia, 2024). Secondary victimization during court trial processing is another core concern detected in this study. Victims are repeatedly subjected to humiliating cross examinations and character slaying during trials (Carroll, 2021).



**Figure 3. Ratio of rape cases in judicial proceeding**

Source: Author own compilation with relevant data

The graph in the Figure 3 shows that recent rape cases percentage is increasing as an alarming rate in Bangladesh where indicates Pending cases, dismissed/ settle cases, convictions and Executions. According to Bangladesh Supreme Court Annual Report 2025, Bangladesh Legal Aid and Services Trust Reports, and Ain o Salish Kendra Annual about 132,197 rape cases in pending only in 2025 before court trial proceeding under the Women and Children Repression Act, 2000, approximately 5648 cases were dismissed or settled due to court delay or political threats, while only 310 convictions were declared by court but no execution between 2001 to 2024 that is so much alarming for our nation. This graph chart explains that there are low conviction rate and no execution of rapist after declaration of judgment due to lack of judicial process, lack of forensic facilities, poor investigation systems, threat from offenders, and social stigma continue to hamper effectiveness of justice regarding rape survivors. The study indicates that low rate of convictions contributes an important role for increasing the rape incidents in

Bangladesh. Besides, lack of evidence, hostile witness, inadequate investigation, and delay of judicial process, many offenders find acquittal (Khan, 2025). Due to this low ratio of convictions, offenders don't fear the legal result that is the bad culture for our nations. Therefore, powerful offenders interfere the investigation and forensic evidence process, threat and pressure on victims so that they can do the settlement by compromising (International Crisis Group, 2016). Despite the government recognized the rigorous punishment as death penalty for rape occurrence in 2020, the study finds that only this rigorous punishment does not decrease the rape occurrences in Bangladesh. Many scholars analyse that security of punishment is more efficacy that gravity of punishment to protect crime (Ganguly, 2020).

**Table 1. Ratio of Judge to Population and compare with other countries**

Country	Population	Number of Judges	Percentage
Bangladesh	18 crore	2,336	0.00129%
India	146.86 crore	21,285	0.00145%
Pakistan	25.58 crore	3,142	0.00123%
USA	34.8 crore	52,132	0.01498%
UK	6.96 crore	5,298	0.00761%

Source: Author own compilation with relevant data (The Daily Star, 2025)

A theoretical comparison of judge to population ratios indicates that Bangladesh faces an important shortage of judicial service officer that hamper to ensure proper justice. The ratio of judges in Bangladesh has approximately 1.27 judges per 1 lakh people, which is lower than India, USA, and UK. Hence, Bangladesh has faces judicial backlogs and delays that is the main hindrance to access of social justice. The lack of judges in Bangladesh indulges to prolonged trials and case over gathering especially in rape incidents, which leads to deadlock judicial normal proceedings. Such shortage contributes to increase slowness of case procedures and hearing system. This limitation also hampers the efficacy of enforcement of the Women and Children Repression Prevention Act 2000. International Standards emerges that to ensure proper justice needs and adequate number of judges (Beringmeier, 2018). Therefore, enhancing the number of judges may decrease the case backlogs and ensure the protection of women and children sexual violence in Bangladesh (Naznin, 2021). As shown in Table 1, the comparison of judge-to-population ratios across countries highlights the significant shortage of judges in Bangladesh, which directly affects access to timely justice (The Daily Star, 2025).

**Table 2. Real Scenario of Pending Cases and Number of Judges in Bangladesh**

Subject	Number of judges	Pending cases	Every judge's handle
High court	103	5.44 lakh	5,282 cases
Lower court	2,233	40 lakh	1,791 cases
Total	2,336	45.44 lakh	1,945 cases

Source: Author own compilation with relevant data

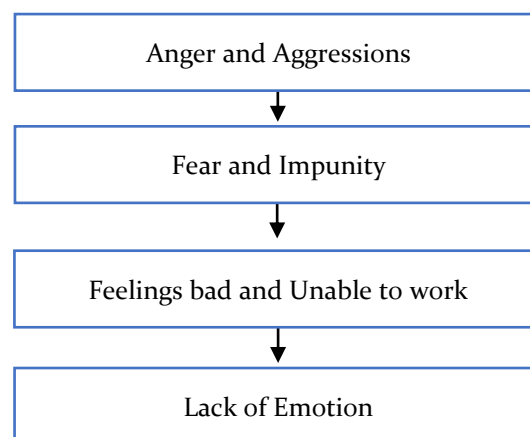
The data analyses that a severe low ratio of Judges in Bangladesh, resulting in hampering case load in judicial proceedings. Approximately more than 40 lakh pending cases in lower courts and 5.44 lakh cases in the high court Division, judges are needed to handle thousands of cases. The burden is an alarming rate where every judge deals with an average of 1947 cases. Such excessive caseloads indulge to prolonged judicial delays, hamper access to justice, and affect the timely disposal of rape incidents following the limitation act, 1908. The circumstance emphasizes the immediately need to appoint new judge, reform judicial proceedings, and enhancing of alternative dispute resolution (ADR) systems, and modernize the judicial systems. As presented in Table 2, the high number of pending cases relative to the limited number of judges clearly illustrates the severe judicial burden in Bangladesh.

#### 4.1.6. Role of Institutions and Police Investigation

Forensic evidence and police investigation play core role about rape incidents when there are absent of eye witness of this occurrence. At the time of delay and peepholes of these institutions hamper the justice for survivors. The study finds out various significant weaknesses about police investigation and forensic process in Bangladesh that play a vital role for delay of justice. The researcher identifies that police have no specialized workshop or training, and proper forensic facilities for examining rape incidents properly (Hasan et al., 2024). The finding emphasizes that the survivor's cases become weak due to lack of eye witness, and hassle of medical test, and lengthiness of investigation process in Bangladesh. When an offender has any political or social power, he interrupts the investigations procedures (International Crisis Group, 2016). There are a lot of Challenges in forensic process in Bangladesh. The Bangladesh government unable to provide the proper training for achieving success on the report of forensic laboratories, forensic expert, and lack of modernized equipment (Haiqing et al., 2025). Hence many rape cases don't get proper justice due to lack of this evidence. The finding emphasizes that institutional development must be needed for ensuring proper justice about rape occurrence and after that public awareness will be increased by upgrading systems of forensic evidence and police investigation without personal hassle.

#### 4.1.7. Psychological and social fact

The victims of rape have gone through very dangerous experience like mental trauma, emotions, and social disgrace. Survivors also continue to find experience as depression, anxiety, Post-Traumatic Stress Disorder (PTSD), social hassle, and suicide trends (Mgoqi-Mbalo et al., 2017).



**Figure 4. Circumstances faced by a victim during PTSD**

Source: Author own complication through relevant data (Lee & James, 2012)

During the post-traumatic stress disorder, every survivor has experienced these situations like anger and aggressions, fear to do anything or go outside and try to escape from surrounded persons, unable to work due to feel her situation, reduce the emotions about others persons or herself. There are five categories of brain reactions during traumatic incidents like rape and violence against women that are fight, flight, freeze, fawn, and flop (Moray Rape Crisis, 2023). As illustrated in Figure 4, survivors of rape and PTSD often experience severe psychological and behavioral reactions that significantly affect their daily functioning and mental health. The study analysis on the importance of survivors supports process with legal amendments.

#### **4.1.8. Secondary Victimization**

Secondary victimization is one of the core factors of excessiveness of rape incidents which are not countable due to fear of furthermore explanation of rape occurrence during judicial proceedings that contributes the offender repeat involving in rape incidents. It refers to another trauma experienced by survivors due to negative reactions from institutions, legal personnel, medical experts, and society after assault (Patterson, 2010). Sometimes survivors have faced victim blaming behaviours, sensitive questionnaire, disbelief, social stigma, and sensitive treatment and demonstrate during police investigation and court trials which may create psychological trauma and discourage informing the crime (Campbell, 2005; Campbell & Raja, 1999). The study emphasizes that secondary victimization can indulge to distress, anxiety, post-traumatic stress disorder (PTSD), and disbelief on the justice procedures (Orth, 2002; Patterson, 2010). Judicial delay, repeated testimony, insufficient survivor's protections, and media insights further victims' psychological suffering (Herman, 2003; Jordan, 2004). Therefore, secondary victimization is not only hampering the recovery of victims but also weaken the efficacy of legal proceedings. The study suggests that victim-centred investigation process, trauma-informed judicial exercises, and psychosocial support system are needed to ensure the protection of women from sexual harassment and rape incidents.

#### **4.1.9. Violation of Human Rights**

Rape is declared as a dangerous human rights violence and gender equality and under the Elimination of All Forms of Discrimination against Women (CEDAW) in 1979 United Nations mandates to reduce discriminations and violence against women. The study delineates that Bangladesh's legal framework is not comply with international standard regarding violence against women. Bangladesh is also part of international conventions like Convention on the Elimination of All forms of Discrimination against Women (CEDAW), which mandates a country to secure the women's rights. There are vast connections gap between Bangladesh implements and international commitments due to judicial delay, improper victims' protection.

#### **4.2. Discussion**

The excessive incidents of rape in Bangladesh are the core complexity of social traditions, legal and institutional factors that hamper efficacy of justice of victims. Survivors blaming attitudes, social stigma, threat from offenders, and family dignity often discourage victims to reports regarding rape (Barua & Hossain, 2022). The study indicates that women and children are vulnerable to rape occurrences due to financial disadvantages and illiteracy of them (Saha et al., 2009). The court procedure mainly depends on medical reports and physical evidence despite internationally states only survivors' testimony as an important evidence (Huda, 2022). Moreover, inefficacy of forensic instruments, lack of training of medical expert, and immature process of evidence collection gradually weaken the prosecution cases and decline the rate of conviction (Haiqing et al., 2025). It emphasizes on the court procedures, legal peepholes, and lack of survivor support culture indulge to secondary victimization during judicial processing, discouraging victims from ongoing to justice procedure (Alam et al., 2023).

#### **5. Conclusion**

The concludes that rape in Bangladesh is now an alarming challenge due to poor law enforcement, judicial delay, inexpert investigator, lack of forensic facilities, and social disgrace. Although there are recognized as harder punishment than previous, rape occurrence ongoing to increase as quickly that can't to stop due to many loopholes that are talked in this study. The study

emphasizes several factors that contribute to hamper judicial justice and protection the survivors from social stigmatization, social attitudes and dishonour trends. It can be solved by appointing adequate judges to accomplice with population so that the ratio of rape incident may decrease the Secondary victimization stigma.

The study also recommends to reduce the excessive incidents of rape in Bangladesh by reforming the effective enforcement process, accountability of institutions including judicial and forensic department, awareness about the legal remedy and punishment, speedy court trial, modernize the forensic technology, and proper training of investigation officer, record the survivors' oral evidence only one time. Victim's legal aid steps, counselling, and public awareness with institution transparency and speedy trial shall ensure the justice regarding rape incidents.

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