



**The killing of Limon Chhoiyal and Abul Hossain and attack on others in alleged police firing at a mass procession of Bangladesh Nationalist Party (BNP) in Chandpur**

*Fact Finding Report*

*Odhikar*

On January 29, 2012 activists of Bangladesh Shwechhashebok Dal, Krishak Dal and activists of other BNP supported parties began a mass procession<sup>1</sup> in Chandpur city in order to realise their political programme.

There is an allegation that the police, on orders from the government, opened fire at the procession, killing two people and injuring many others. One of the dead is Mohammad Limon Chhoiyal (22) son of Abdur Rouf Chhoiyal and Anowara Begum of Goowakhola road in Ward 8 of the Chandpur Municipality. Limon was the Vice Chairman of Ward 8 of the Chandpur Municipality BNP supported Shwechhashebok Dal and a cart-puller. The other is Mohammad Abul Hossain Mridha (49), son of late Mohammad Nurul Haque Mridha and Hanufa Begum of Dashodi village in Chandpur Model Thana. Abul Hossain was a member of Baburhat union BNP Krishak Dal and a rickshaw puller.

The fact finding mission learned that a few more people were wounded by the police at the procession. The wounded were Shumon Patwary, Manik Elahi, Mahfuz, Mosharrof Kazi, Saddam, Zakir Hossain, Jewel, Enamul Haque and Ibrahim.

Odhikar has carried out a fact finding mission into the incident. During the fact finding mission, Odhikar interviewed:

- The relatives of the deceased and wounded
- Witnesses
- The hospital doctor and the post-mortem doctor of the body

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<sup>1</sup> Bangladesh Nationalist Party (BNP) demanded that, upcoming National Parliamentary Election should be held under Caretaker Government. But, through the 15<sup>th</sup> amendment of Bangladesh Constitution, Caretaker Government has been declared void during the current tenure of Awami League. BNP brought out a mass procession all over Bangladesh on January 29, 2012 demanding restoration of Caretaker Government system. Government ordered police to obstruct BNP's mass procession to avoid disruption of law and order situation.

- The morgue assistant of the hospital and
- The members of the law enforcement agencies.



Picture: (1 and 2) Police took the body of bullet shot Limon to the police van.

**Anowara Begum (60), mother of slain Limon:**

Anowara Begum told Odhikar that Limon was Vice Chairman of the BNP backed Shwechhashebak Dal under ward 8 of Chandpur Municipality. He was a cartpuller for a local cigarette company called ‘Abul Khair’.

On January 29, 2012 at around 9:00am, Limon and a few other people of the area went to join a BNP rally. At around 12:00pm Anowara Begum got to know from a local person that the police fired at the procession and that Limon had been shot (picture: 1 and 2). She also got to know that the police took Limon to the Chandpur General Hospital. Another local informed her that Limon had died. At around 11:00pm BNP activists brought Limon’s body home. She saw that Limon was shot in the front of his head and the bullet exited through the back of his head. There was also a mark of injury on his right arm.

On January 30, 2012, at around 11:00am, Limon was buried at the Chandpur Municipal graveyard. As the police killed Limon, she felt there will hardly be any redress. She will have to face harassment instead. Hence, she will not take any legal steps to find justice for Limon’s killing.



Picture: (3) Police opened fire (4) Bullet shot Abul Hossain

**Shahanara Shanu (32), daughter of slain Abul Hossain:**

Shahanara Shanu informed Odhikar that her father Abul Hossain was a member of the BNP aligned Krishak Dal in Baburhat union. He was a rickshaw puller by profession. In the morning of January 29, 2012, he left the house to join a mass procession organised by the BNP. At around noon a party activist of BNP informed her and her mother that the police killed her father by firing at the procession. She informed the news to their neighbour, Baburhat union's chairman Mannan Mal, over mobile phone.

Mannan Mal learned after making inquiries that Abul Hossain's dead body was in the morgue of 250-bedded Chandpur General Hospital. Mannan went to the hospital and brought the body home at around 11:00pm after the completion of the post mortem. Shahanara Shanu saw that the bullet had pierced through the chest and come out of the back. On January 30, 2012 at around 1:00am her father was buried at their family graveyard.

She further informed that in the morning of February 1, 2012, her mother went to Chandpur Sadar Model Police Station and wanted to file a murder case. The police officer on duty refused to take the case and advised her to file it at the Court. Her mother Fatema Begum went to Chandpur Judicial Magistrate Court and filed a murder case against 46 members<sup>2</sup> of the police mentioning their names along with another 100/150 unnamed persons at the Chandpur Judicial Magistrate Court.

The case is numbered: 17/2012; date: 01/02/2012; under sections 147/447/323/324/325/326/307/302/506/34 of the Penal Code, 1860<sup>3</sup>.

In the First Information Report (FIR) of the case her mother mentioned that on January 29, 2012, activists of the Four Party Alliance<sup>4</sup> were peacefully carrying out the mass procession as announced earlier. When the procession arrived at the field of Chandpur Hasan Ali High School, the Executive Magistrate Shamimul Haque Pavel; Chandpur Model Police Station's Officer in-Charge Mohammad Zaker Hossain; and some people carrying sticks, rods, axes, and firearms interrupted the procession.

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<sup>2</sup> Fatema Begum collected the names from the commanding Certificate of the police.

<sup>3</sup> The said sections of the Penal Code deal with the punishment for rioting, criminal trespass, voluntarily causing hurt, voluntarily causing hurt by dangerous weapons or means, voluntarily causing grievous hurt, voluntarily causing grievous hurt by dangerous weapons or means, attempt to murder Attempts by life-convicts, murder, criminal intimidation, acts done by several persons in furtherance of common intention respectively.

<sup>4</sup> Four Party Alliance- BNP, Jamayat, Islami Oikkojot, Japa (Monju), Japa (Naziur)

The police attacked the activists of the Four Party Alliance by beating them haphazardly, firing tear gas canisters and live bullets. Limon fell victim to the police firing and died while Abul became seriously injured. Some other people also got injured during the police firing. The police officers took Abul and the body of Limon to the Chandpur General Hospital. After sometime the duty doctor declared both dead. After the completion of the post mortem, Limon and Abul's bodies were sent to their respective homes, deep into the night. On January 30, 2012 at around 1:00am her father was buried in the Dashodi village graveyard. Shahanara Shanu demands that her father's killers be put to trial.

**Mannan Mal, Chairman, Baburhat Union Parishad<sup>5</sup>, Chandpur:**

Mannan Mal told Odhikar that in the afternoon of April 29, 2012, a mass procession of BNP was going on in Chandpur city. At around 4:00pm the Officer in-Charge (OC) of Chandpur Mohammad Alamgir Hossain informed him that Abul Hossain, a man from Dashodi village, who was at the mass procession, died. The body was at the Chandpur General Hospital. He went to the hospital and saw the body at the morgue. The OC informed him that BNP activists were attempting to do a procession in the city with the body.

The OC instructed him not to hold any procession by taking the body from the hospital. He gave his word to the OC that the villagers will not create any problem if he took the body to the village. The doctor did not want to do a post mortem as it was night and the people present there were still waiting to do a procession with the body. Later, he went to the resident medical officer Dr. Sirajul Islam and requested him to do a post mortem.

Dr. Sirajul brought an ambulance close to the morgue, turned the headlights at high beam and conducted the post mortem. Mannan helped the morgue assistant during the post mortem. After the post mortem was complete, he took the dead body to Abul Hossain's home in Dashodi village. On January 30, 2012 at around 1:00am Abul's body was buried in their family graveyard.



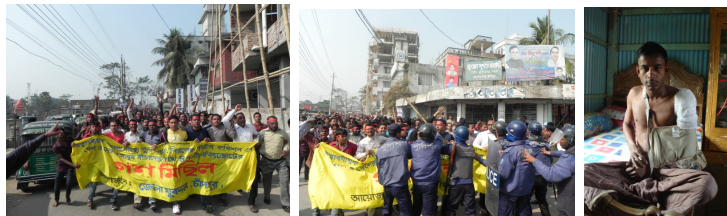
Picture: (5) Injured Mohammad Jewel Hossain and (6+7) Two others injured

**Mohammad Jewel Hossain (14), injured:**

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<sup>5</sup> Union Parishad - Local government administration

Mohammad Jewel Hossain informed Odhikar that he is a student of class 8 at Gani Adarsha High School of the city. On January 29, 2012 at around 10:00am he left home for school. When he reached the Mission turning, he found police had closed the road. The police stopped him as he tried to go to school and told him to return home. He decided to go through the road beside the field of Chandpur Hassan Ali High School. He saw that a large procession was heading towards the field. When he reached the corner of the field, the police tried stopping the procession. After a while the police began firing at the procession. He tried returning home but as most of the procession activists began running, the police opened fire and one bullet hit his left elbow and came out from the back (picture-5). He screamed 'help'. But the police approached him. He quickly ran away from there. After running for some time, he fell on the ground. The local people informed his home and his relatives came and admitted him to the hospital. His father, being a poor man, could not find his son proper treatment.



Picture: (8) Mass procession (2) Police tried to stop the procession and (3) Injured Manik Elahi

### **Mohammad Manik Elahi (33), injured:**

Mohammad Manik Elahi told Odhikar that on January 29, 2012, there was a mass procession programme of BNP. At around 10:00am on the day, he and some locals marched towards the field of Hassan Ali High School from Bokultola (picture-8). As the procession progressed from Mission turning to near Jewel Supermarket, through Shahid Muktijodhha road, the police standing there tried to stop it (picture-9). When the procession failed to enter the field, the activists tried to stage a sit in where they were standing but the police prevented them. At one point the police started baton charging them. The activists quickly dispersed. When a few activists tried to enter the field, the police opened fire at them. He saw his neighbor Limon shot and lying on the ground. Just as he turned back, a bullet fired by the police hit his left hand and he fell to the ground (picture-10). A local man admitted him to the Premier Hospital and Diagnostic Centre at Alimpara Haji Mohsin road. He was treated there for a few days but due to financial problems he could not receive full treatment.





Picture: (11) M0hammad Alam Munshi and (12) Police is beating an activist

### **Mohammad Alam Munshi (35), injured:**

Mohammad Alam Munshi informed Odhikar that he is a resident of Jamtola East JTC Colony and a member of BNP aligned Shwechhashebok Dal in Chandpur. According to the previously announced programme of BNP, on January 29, 2012, he and other locals began the mass procession. He said that the procession went near Jewel supermarket through Shahid Muktujodhha road from the Mission turnabout. That is where the police tried stopping the procession. A few activists managed to enter the field of Chandpur Hassan Ali High School. The leaders then told them to sit and start the meeting. When they all began to sit, the police suddenly began charging them with batons, kicking and punching the activists (picture-12). This dispersed the crowd. He too moved away. Meanwhile, a microbus arrived at the field and the police opened fire. He could hear the sound of about 50/60 rounds of firing. At that time, he noticed that an elderly man was shot and he was lying on the ground moaning. As he stood up, he received bullets in his stomach and thigh (picture- 11). He fell on the ground and was bleeding. Afterwards, some people took him to the hospital. He returned home from there after undergoing treatment for a few days.

### **Mahbubur Rahman Shahin, Vice President, Central Executive Committee, Bangladesh Shwechhashebok Dal, Chandpur:**

Mahbubur Rahman Shahin told Odhikar that on January 29, 2012, there was a central mass procession programme of BNP in Chandpur city. From the morning people were gathering at the field of Chandpur Hassan Ali High School with their processions. At around 10:00am when the activists tried entering the field of Chandpur Hassan Ali High School in order to carry out a peaceful demonstration, the police became hostile, charging people with batons, firing tear-gas canisters and rubber bullets. Two activists Mohammad Limon Chhoiyal and Mohammad Abul Hossain Mridha were killed in the police firing. Many others were injured. He said that the present government is not allowing anyone to carry out any procession or rallies. He demanded that the police and the Magistrate involved in the killing should be brought under trial.

**Mohammad Al Amin, Assistant Commissioner, Deputy Commissioner's Office, Chandpur:**

Mohammad Al Amin informed Odhikar-in the condition that his statement will not be taped that on January 29, 2012, BNP held a mass procession. He gave the police and Magistrate Shamimul Haque Pavel the responsibility of making sure that the people in the procession do not damage any property. After the police entered the Hasan Ali Govt. High School field, he too appeared at the venue. After arriving there he witnessed a clash between two groups of BNP and the police had been cornered. A man died in the police firing during the fiasco. Magistrate Shamimul Haque Pavel went and told the police officers to fire again. Another man was shot and the people of the procession began throwing bricks and stones at the police and Magistrate Shamimul Haque Pavel. The wounded policemen underwent treatment at a hospital and then went back to work. Twenty-five people were injured and 2 people died in the incident.

**Executive Magistrate Shamimul Haque Pavel, Deputy Commissioner's Office, Chandpur:**

On January 29, 2012, BNP had a programme of conducting a mass procession in Chandpur city. He was on duty with the police to ensure the law and order did not deteriorate during the event. He said, at around 10:15am he learned from a few policemen that when BNP's mass procession reached the Chandpur Hassan Ali High School field, the police present there began firing and two people died. He went to the field. Upon reaching there, the people at the procession began throwing stones and bricks at the microbus he was in. Due to that a window of the microbus broke and he along with a few other policemen got injured. He and the other injured policemen were taken to the General Hospital and treated before they went back to work. He said that even though there was supposed to be a judicial investigation regarding this incident, it did not happen. He was unwilling to say anything further in this matter.

**Mohammad Alamgir Hossain, Officer in-charge (investigation), Chandpur Sadar Model Police Station, Chandpur:**

Mohammad Alamgir Hossain informed Odhikar that activists, under the leadership of Chandpur district BNP's General Secretary Sheikh Farid Ahmed Manik, were trying to create anarchy after arriving at the field of Chandpur Hassan Ali Government High School. The police thwarted them when the men were arming themselves with illegal firearms. The other part of the mass procession, led by Chandpur district BNP's vice president Shafiqur Rahman Bhuiyan entered the field of Chandpur Hassan Ali High School and got involved in fighting and at one point tried moving towards the city. As the executive magistrate on duty at the time tried restraining them, the rioters became further enraged. On the other hand, the activists of Jamaat and Shibir<sup>6</sup> took part in the procession with explosives, bombs, machetes and sticks.

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<sup>6</sup> Student wing of Jamayat-e-Islami Bangladesh.

They got embroiled into a fierce clash and began shooting and fighting in an effort to establish their power on the field. Due to their own firing, two people got shot. When the police tried to bring the situation under control at the time, the people in the procession hurled stones at the police, vandalised vehicles and exploded bombs. Due to the spread of violence, the children of Chandpur Hassan Ali Government High School began screaming in fear, the shopkeepers closed their shops and the police officers on duty got injured. The police officers received treatment and then returned to the police station and police line. He filed two cases against 59 people with names and 4000/5,000 unnamed people at the Chandpur Model Police Station.

Among them the number of one case is 35; date: 29/01/2012; under sections: 147/148/149/447/323/325/326/307/302/332/333/353/354/186/427 of the Penal Code 1860<sup>7</sup>. The other case number is 36; date: 29/01/2012; under section 3/6 of explosive substances act 1908<sup>8</sup>. He informed that SI Sadekur Rahman is conducting the investigation of both the cases.

**SI Akter Hossain, Chandpur Sadar Police Station, Chandpur:**

SI Akter Hossain informed Odhikar that cases 35 and 36 filed on January 29, 2012, were being investigated by SI Sadekur Rahman for a few days. Later, he was given the responsibility. He said that the case is under investigation.

**Mohammad Shahidullah Chowdhury, Police Superintendent, Chandpur:**

Mohammad Shahidullah Chowdhury told Odhikar that the news that came in the newspapers on January 29, 2012 that two people were killed and many were injured in police firing at BNP's mass procession is false. This is because the police officers were there to make sure that no mishaps occurred and the two people were killed and many others were injured due to the clash and firing between two factions of BNP supporters.

**Priyotosh Saha, Deputy Commissioner and District Magistrate, Chandpur:**

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<sup>7</sup> The said sections of the Penal Code deal with the punishment for rioting, and rioting, armed with deadly weapon, every member of unlawful assembly guilty of offence committed in prosecution of common object, criminal trespass, voluntarily causing hurt, voluntarily causing grievous hurt, voluntarily causing grievous hurt by dangerous weapons or means, attempt to murder Attempts by life-convicts, murder, voluntarily causing hurt to deter public servant from his duty, voluntarily causing grievous hurt to deter public servant from his duty, assault or criminal force to deter public servant from discharge of his duty, assault or criminal force to woman with intent to outrage her modesty, obstructing public servant in discharge of public functions, mischief causing damage to the amount of fifty taka respectively.

<sup>8</sup> The said sections of the explosive substance act deal with the punishment for causing explosion likely to endanger life or property, abettors respectively.



Prioyotosh Saha informed Odhikar that on January 29, 2012, Limon and Abul died in the firing at BNP's mass procession. He was unwilling to speak about this matter because the police have filed a case at the police station and Abul Hossain's wife has filed a case at the court regarding this matter.

**Dr. Shopon Kumar Bordhon, Supervisor, Chandpur 250-bedded General Hospital:**

Dr. Shopon Kumar Bordhon told Odhikar that on January 29, 2012, at around 10:00am a lot of wounded people started getting admitted at the emergency unit of the hospital. He heard from some people that a lot of people were injured and killed after police opened fire at the BNP mass procession at the Chandpur Hassan Ali Government High School field. He immediately sent an ambulance there. The ambulance brought back a body and many wounded people. He mentioned that between 10:00am and 3:00pm, 36 people were given treatment at the emergency unit. Among them there was one Magistrate, 17 police officers and 18 people who took part in the procession. He stated that one Abul Hossain, who received bullets, succumbed to death while undergoing treatment. Dr. Sirajul Islam and Dr. Kamrul Islam conducted the post mortem on the two bodies at around 9:00pm. Later the police and relatives received the bodies.

**Dr. Sirajul Islam, Resident Medical Officer, 250-bedded General Hospital, Chandpur:**

Dr. Sirajul Islam informed Odhikar that on January 29, 2012, around noon the police brought a body and a seriously injured person to the hospital. Later the latter died while undergoing treatment. He got to know that the two men were victims of police firing. The people present there tried to do a procession with the body. When Baburhat Union Parishad's chairman Mannan Mal came and gave them the assurance that there would be no problem if the body was taken to the area, at around 9.30pm he with the help of Dr. Kamrul Islam conducted the post mortem of both the bodies. Later, the police took the bodies away. After examining the bodies, he said that it is certain that both of them died due to gunshots and was unwilling to say anything more about this matter.

**Bappi, Morgue Assistant, 250-bedded General Hospital, Chandpur:**

On January 29, 2012 at around 12:00pm, the police brought two bodies to the morgue. At around 9:30pm, Dr. Sirajul Islam and Dr. Kamrul Islam did the post mortem on the two bodies. The police took the bodies away the same night. The bullets hit Limon's head and Abul Hossain's body.

**Odhikar's view:**

Odhikar expresses grave concern over the deteriorating political situation in Bangladesh. Despite the political parties having the right to hold peaceful meetings and procession according to the Constitution in a democratic arrangement, the government institutions are not letting them exercise it. On the other hand all these programmes are very often turning violent. In most cases

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the general people or the general supporters of a party are getting killed or injured. Odhikar believes that the government and the opposition party should solve this crisis by meeting and discussion for the sake of the country. Odhikar demands a fair investigation and trial into the killing of Limon and Abul Hossain.

-End of Report-