

Farmer Mohammad Abdul Wahab was allegedly dead and Hasan was allegedly injured in the police fire

Fact finding Report
Odhikar

Mohammad Abdul Wahab (51) was the son of late Shukur Ali Mondol and Mochammat Rahima Begum of Paikpara village of Sadar upazila of Jhenidah district. Hasan (40) is the son of Munnaf Ali and Saira Khatun of the same village. At around 1 am on June 10, 2012, Abdul Wahab was shot dead and Hasan was injured in the police fire of Betai Chondipur police camp, their family alleged.

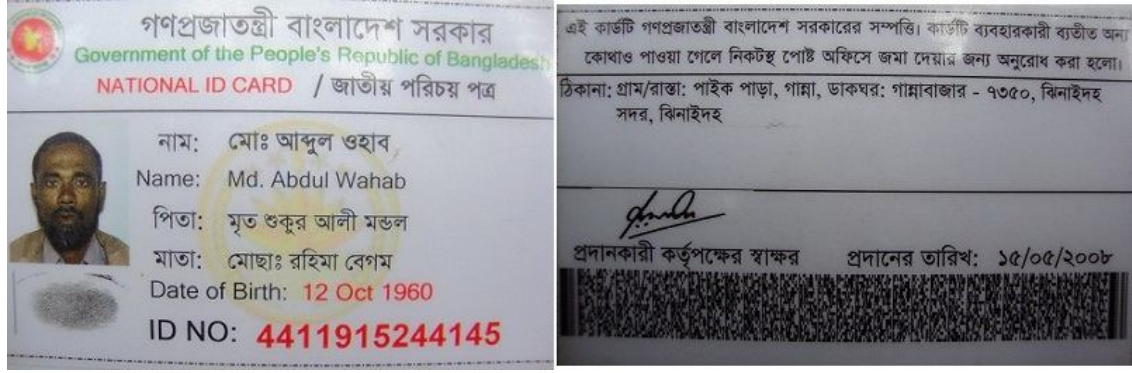
From the statement of family members and eye-witnesses, it is known that police went to arrest Wahab in Paikpara village in a false theft case. The locals asked for arrest warrant to the police. However, at around 12.45 am the locals protested when police could not show any warrant. Being protested, police started firing and dragging Wahab. When they were crossing Hasan's house at the neighbour, Hasan got shot and was injured. After that, police shot Wahab dead and firing blank shots ran away from there.

Odhikar conducted a fact finding mission into the matter. During this they interviewed-

- Relatives of deceased Abdul Wahab
- Injured Hasan by police firing and eye-witnesses
- Doctor who conducted the postmortem
- The morgue assistant and
- Member of law enforcement agencies



Photo t (1) Abdul Wahab (2) Bullet hit on Hasan's left wrist (3) Hasan's standing place where Abdul Wahab shot (4) Graveyard of Abdul Wahab



(5) National ID of Abdul Wahab

Mohammad Monirujjaman (30), Elder son of Mohammad Abdul Wahab

Mohammad Monirujjaman told Odhikar that on June 10, 2012, at around 12.30 am, some people came to their home. He heard one of them knocking on the door of his father's room and calling his father. Monirujjaman came out of his own room with a torch light and saw 6/7 armed police in uniform handcuffed his brother-in-law Shirajul Islam. They were on the yard of their home when Abdul Wahab also came out his room. Then one police identified himself as the in-charge of the Betai Chondipur Police Camp, Probationary Sub Inspector (PSI) Mohammad Abdur Rahim. PSI Abdur Rahim dragged him to the yard from the veranda and asked his name. Monirujjaman told his name and asked why Shirajul was being handcuffed. PSI Mohammad Abdur Rahim told him that a case had been filed against Shirajul in Jhinaidah Police Station. Then he asked him the details about the case. The PSI Abdur Rahim said that someone named Jahangir filed a theft case against Shirajul, his father Mohammad Abdul Wahab, brother Rokunujjaman and him. His father requested the police to release Shirajul. PSI Abdur Rahim released Shirajul and asked Abdul Wahab to go with them. So Monirujjaman asked the officer to show them the arrest warrant but he could not. Being annoyed, the police started beating all of them and dragged his father out of their home. At that time, his father called their neighbour MofijUddin shouting that he is caught by police. Hearing his shout, the villagers started gathering to their home and obstructed the police. Villagers demanded that police had to wait till morning to arrest Wahab and show arrest warrant. At that time police charged batons of the locals. He noticed in the light of the torch that two police were taken his father towards the house of their neighbour, Hasan. After some time at around 1 am, he heard the sound of 5/6 round of fire from there. Then they heard the screaming of Hasan and going near to his home, he saw his father lying on the ground and Hasan was shot in the right wrist.

At around 4 am, 50/60 police including Police Super and Officer-in-charge (OC) of Jhenidah Police Station, Ajijur Rahman, Chairman of Ganna Union Parishad and Jainal Abedin, member of ward no. 9 came to the place of incident and took the body for post mortem. His

uncle Abdul Alim and Chairman Jainal Abedin went with the body. At around 2.30 pm, the body was handover to his uncle Abdul alim after post mortem. At around 3.30 pm, the body was brought back to the home. Then at around 4.30 pm he, his uncle Abu Syed, younger brother Rokunujjaman conducted the bath ritual of the body of his father. At the time of bathing the body, he saw a mark on the left side of the chest which he assumed to be the mark of bullet. The bullet came out from the back passing through the left side of the chest, he said. The body was buried at the family graveyard at Paikpara village at around 5.30pm.

Abdul Alim(45), brother of Abdul Wahab who also conducted the bath ritual

Abdul Alim told Odhikar that at around 12.45 am on June 10, 2012, he went to Wahab's home hearing the sound of screaming. He saw that police were trying to take Wahab with them but villagers obstructed them. After some time, they took Wahab towards the home of Hasan. They again heard the sound of screaming form there and saw Wahab's body going there. The witnesses informed him that when they tried to obstruct the police, they shot Abdul Wahab and escaped. At around 4 am, police took the body for post mortem to the Jhenidah Police Station. Abdul Alim went to receive the body. At around 6 am, Sub Inspector (SI) Nirob prepared the inquest report. At around 3.30 pm, he brought the body back to home and then at around 4.30 pm, Abdul Alim, his brother Abu Syed, two nephews Monirujjaman and Rokunujjaman conducted the bath ritual. At around 5.30 pm, they buried the body of Wahab in the family graveyard.

Mohammad Hasan (40), injured in police fire and eye-witness

Mohammad Hasan told Odhikar that at around 12.45 am on June 10, 2012, he woke up hearing the noise of villagers and came out of the home. He saw in the light of torch light two police were dragging Mohammad Abdul Wahab towards his home. He could recognize PSI Mohammad Abdur Rahim. Three police officers standing behind PSI Mohammad Abdur Rahim attacked the villagers suddenly. As a result, villagers started chasing them. Then there was a jostling between the villagers and PSI Abdur Rahim. At one point, PSI Abdur Rahim fired three times among which one bullet hit on his left wrist. He fell on the ground. He saw PSI Abdur Rahim clasped Wahab in the neck and said, '*Shala tui onek bere gechish, taka khey eelakae Matobbari Korish*'¹. Saying this he shot Wahab on his chest and ran away from there. Right then Wahab shouted and fell on the ground. Hasan assumed that Wahab died within few minutes. The body was lying there on the ground. At around 4 am, when 50/60 police came in 3/4 police van and took the body for post mortem. He could not take well treatment for being poor, Hasan added.

¹ Slang used in Bangla language.

Mohammad Joinal Abedin (39), neighbor of Wahaband member of ward no. 9, Ganna Union Parishad, Jhenidah

Mohammad Joinal Abedin told Odhikar that he was sleeping in his home at the night on June 10, 2012. At around 1 am one of his neighbours called him and informed that police shot Abdul Wahab dead. He went to Wahab's home at around 2.00 am and saw Wahab's body. At around 3.00 am, he called Ajijur Rahman, Chairman of Ganna Union Parishad and gave the news. He calmed down the angry villagers, he said. At around 4.00 am, the Chairman AjijurRahmanand OC of Jhenidah Police Station along with 50/60 police came to the place of incident and took the body of Wahab with them. He heard from the locals that PSI Abdur Rahim shot Wahab on his chest.

Sub Inspector (SI) WahidurRahman,Camp-in-charge of BetaiChondipur Police Camp, Jhenidah Police Station, Jhenidah

SI Wahidur Rahman informed Odhikar that he joined Betai Chondipur Police Camp on June 12, 2012. The former camp-in-charge PSI Mohammad Abdur Rahim went on a special operation in Paikpara village on June 10 and he was under treatment in the hospital being injured in that operation. He heard that someone named Mohammad Abdul Wahab was also shot dead. However, he refused to talk about this.

Officer-in-charge (investigation) Shonit Kumar Gayen, Jhenidah Police Station, Jhenidah

OC Shonit Kumar Gayen told Odhikar that on June 9, 2012, a person named Mohammad Jahangir came to the police station and filed a case against 13 people including Mohammad Abdul Wahab under sections 143/448/323/379/380/506(ii)/114² of the Penal Code, 1860. The case number is 21 and date: 9/6/2012.

On June 9, 2012, PSI Mohammad Abdur Rahim, in-charge of Betai Chondipur police camp went on a special operation with Armed Police Battalion (APBN) member *Nayek* Mohammad Nur Islam, , constable Mohammad Abdul Malek, constable Mohammad Ashraf Sarker, constable Moloy Kumar Bosak, constable Sri Rajib Kumar and constable Mohammad Zakaria. At around 12.45 am on June 10, 2012, PSI Abdur Rahim went to Paikpara village and arrested a criminal named Shiraj. Then he went to Mohammad Abdul Wahab's home taking Shiraj with them and arrested Wahab also. Wahab's relatives and neighbours shouted saying 'dacoit, dacoit' to obstruct the police.

Hearing the shouting around 250-300 villagers gathered and surrounded the police and attacked them with stick, spear and other local arms. PSI Abdur Rahim was shot and injured

²The said sections deal with the Punishment for being member of unlawful assembly, House trespass, Voluntary causing hurt, theft, criminal intimidation, Abettor present when offence is committed respectively.

by the firing of miscreants. At one point PSI Abdur Rahim also fired three rounds of bullet, Nayek Nur Islam fired seven rounds from his SMG and Constable Moloy Kumar fire done round from his arms in self defense and ran away from that place. Then, they saw Wahab lying on the ground. Nayek Nur Islam, Constable Ashraf Sarkar, Constable Moloy Kumar Bashok and Constable Abdul Malek were also injured. The injured police members could manage to escape. At around 4 am, he came to know from the Chairman of Ganna Union Parishad that Mohammad Abdul Wahab shot dead by the fire of miscreants.

Then he informed the matter to the Police Super and recovered the body from Paikpara with Police Super. He sent the body to Jhenidah District Hospital for post mortem. Afterwards, he sent SI Nirob to the hospital to prepare the inquest report. Then he did handover the body to the family. Then he also sent the injured police to the hospital for treatment. PSI Abdur Rahim filed a case as a plaintiff against 250-300 unknown under sections 147/148/149/225/332/333/353/302³ of the Penal Code, 1860. The case number is-25 and dated-10/6/2012. He is the investigating officer of this case, he added.

SI Nirob Hossain, Jhenidah Police Station, Jhenidah

SI Nirob Hossain told Odhikar that at around 6 am on June 10, 2012, he went to Jhenidah District Hospital with Constable Mohammad Moshir Rahman in command of the officer-in-charge. There he prepared the inquest report. In the report, he mentioned that there were an injury on the right side of the backbone and a round mark of bullet on the left side of the chest of which the radius is 1.5 inch. There was no other injury on the body. He did handover the body to Wahab's relatives after the postmortem.

Dr. Mojammel Hoque, Medical Officer, Jhenidah District Hospital, Jhenidah

Dr. Mojammel Hoque informed Odhikar that at around 11.30 am on June 10, 2012, police of Jhenidah Police Station brought a body to the morgue. He came to know from the police that the body was of a person named Abdul Wahab. He conducted the post mortem of that body which is numbered: 08. He said that there was a mark of bullet on the body which came out from the back passing through the left side of the chest.

Shudhir Kumar (45), Morgue Assistant, Jhenidah District Hospital, Jhenidah

Shudhir Kumar told Odhikar that at around 11.30 am on June 10, 2012, he assisted Dr. Mojammel Hoque to conduct the post mortem of the body of a person named Abdul Wahab.

³The said sections deal with the Punishment rioting, rioting armed with deadly weapon, every member of unlawful assembly guilty of offence committed in prosecution of common object, resistance or obstruction to lawful apprehension of another person, Voluntary causing hurt, Voluntary causing grievous hurt, assault or criminal force to deter public servant from discharge of his duty, punishment for murder respectively.

He saw only one mark on the body which he assumed to be a mark of bullet. He said that the mark was on the left side of the chest and the bullet came out form the back.

Ponkoj Bhattacharya, Police Super, Jhenidah

Ponkoj Bhattacharya informed Odhikar that on June 12, 2012, he formed a special investigating team of three members to know whether police fire was justified or not in the matter of Abdul Wahab's death on June 10,2012. The members of the investigating team were Additional Police Super Mohammad Hasanujjaman, Assistant Police Super Abdul Halim and Jhenidah Court Inspector Sheikh Abu Bokor Siddiq. However, there was no investigating team formed to investigate the death of Wahab.He informed about the investigation that the committee has already submitted the investigating report to him on June 20, 2012. The memorandum number is- 2016/1(3). He refused to say anything else on this matter.

Mohammad Hasanujjaman, Additional Police Super, Jhenidah

Mohammad Hasanujjaman told Odhikar that on June 12, 2012, Police Super Ponkoj Bhattacharya sent members of the Armed Police Battalion(APBN) *Nayek* Mohammad Nur Islam, Constable Mohammed Abdul Malek, Constable Mohammad Ashraf Sarkar, Constable Moloy Kumar Bosak, Constable Sri Rajib Kumar and Constable Mohammad Zakaria to the Khulna barrack. Moreover, he formed a three member investigating team to investigate the justification of police firing. Mohammad Hasanujjaman was the head of the investigating team. He claimed that he investigated properly. He mentioned in the report that the firing by police was justified and Abdul Wahab did not die by the police fire. He assumed that Wahab died in the fire of a third party (miscreant).

Abdul Halim, Assistant Police Super, Jhenidah Circle

Abdul Halim told Odhikar that on June 12, 2012, Police Super formed a three member investigating team to investigate that whether the police firing was justified or not on that day. He investigated the matter as a member of that team. He claimed that Wahab did not die in police fire.

Sheikh Abu Bokor Siddiq, Court Inspector, Jhenidah Court, Jhenidah

Sheik Abu Bokor Siddiq informed Odhikar that on June 12, 2012, Police Super Ponkoj Bhattacharya formed a three member investigating team to investigate that whether police firing was justified or not. He was a member of that team. However, he refused to talk about the investigating report.