

The alleged torture of Rehana Yeasmin Dolly an activist of *Jatiyotabadi Mohila Dol*¹ of ward no.74 of Dhaka Metropolitan area by DB police members

Fact-finding Report Odhikar

On April 29, 2012, at around 9.30 pm, Rehana Yeasmin Dolly (40), daughter of Sirajut Ullah and Anowara Begum, resident of Goalghatlane, Wari Thana of Dhaka and general secretary of *Jatiyotabadi Mohila Dol* of ward no.74 was allegedly picked up and tortured by the police force of Dhaka City Detective Branch (DB) claims Dolly and her family.

Odhikar has conducted a fact finding mission of the incident. During the fact finding mission, Odhikar interviewed:

- Dolly and her family members
- Dolly's lawyers and
- Members of the law enforcement agencies



Picture: 1.Rehana Yasmin Dolly. 2. Injured Dolly at the court after being tortured.

Rehana Yeasmin Dolly (40), the torture victim:

Rehana Yeasmin Dolly informed Odhikar that on April 29, 2012 at around 9.30 in the evening, she was saying the *Isha* prayer in her room when she heard her mother talking to someone outside. Eight to 10 people entered and began searching the house. When she asked who they were and why they were searching her house, one of them said they were police of the Wari Police Station and told her to come with them. At the police station, Dolly was interrogated and then told to wait for another police officer to interrogate her. During that time the officer in-charge of the police station, Mohammad Rofiquel Islam showed her three phone numbers on a cell phone and asked whether she recognised any of them. He also wanted to know whether she

¹Women's' wing of the Bangladesh Nationalist Party (BNP), now in Opposition.

received nomination for the reserved female seats in the 70, 74 and 79 number wards. After some time, Hayatul Islam, Assistant Commissioner (AC) of Police of Dhaka City Detective Branch (DB) came and began interrogating her. Hayatul Islam asked her where she kept the packets that were in her possession. When Dolly said she did not know what they were talking about, Hayatul Islam said, “You will understand everything once we start beating you.” After that, she was taken to the office of Dhaka City Detective Branch from Wari Police Station. At around 11 at night she was taken to the room of Mohiuddin, Assistant Commissioner (AC) of Dhaka City Detective Branch. AC Mohiuddin went through all the numbers on the call list of her phone and asked about every one of them. On April 30, 2012, at around 1.45 am seven or eight female and male police officers took her to a room and locked her up. On April 30, 2012, at around 10.45 am police officer Mehedi Hassan, along with another person came and took her to another room. There, her name and relevant personal details were registered on a computer. During that time, she was verbally abused and told to say before the Magistrate, that she was behind the bomb blast that occurred in front of the gate of the Secretariat on April 29, 2012, following the order of BNP Chairperson Khaleda Zia. Police officer Mehedi Hassan then told a policewoman named Shahina and another person who was present in that room to rip off Dolly’s clothes. Shahina began pulling at her clothes and when she asked for water Mehedi Hassan told her that she would be given nothing but urine. At that time four or five policemen started beating her with sticks. The policewoman named Shahina stepped on one of her hands and kicked her continuously on the face with her boot. The whole time Dolly was being beaten she was constantly told to admit that she was behind the explosions at the court. At one point she lost consciousness.

Anowara Begum (85), Dolly’s mother:

Anowara Begum told Odhikar that on April 29, 2012 at around 9.30 pm a group of 35/40 men forcefully entered their house. Among them, some were wearing police uniform while others were not. They spread out all around the house. During that time she heard one of them constantly saying that “Sir source has given us the wrong information.” When asked who they were and why they were here, one of them identified themselves as policemen of Wari Police Station. Meanwhile Dolly was saying her prayers in her room. They destroyed all the items of the house. One of the policemen told Dolly to come with them. They did not say why they were taking Dolly. They only told them that Dolly is being taken to the Wari Police Station where she will be interrogated for one hour and then released. The policemen told Dolly’s mother to go with her but as she was sick, she sent Dolly’s son Ariful Islam Shourobh with her.

Ariful Islam Shourobh (19), Dolly’s son:

Ariful Islam Shourobh informed Odhikar that on April 29, 2012 at around 9.30 pm 35/40 men came to their house and identified themselves as policemen of Wari Police Station. At around 10pm he along with his mother was taken to the Wari Police station. At first, the police interrogated his mother in the same room where they were kept in the police station. Then he was

told to sit in an adjacent room. After about 30 minutes he was told to go home and that his mother will be released after she is done meeting with the Deputy Commissioner (DC). He returned home and on April 30, 2012 from 7 am till 2.30 pm he contacted the Wari Police Station many times. Although the police did not want to tell him anything at first, eventually one policeman informed him that Dolly has been taken to the office of the Dhaka City Detective Branch. On April 30, 2012 at around 3.30 pm a man called Harun-ur-Rashid, who is an uncle of his, informed him via cellphone that his mother has been brought to the Chief Metropolitan Magistrate Court (CMM Court) in a police van. Upon receiving this news, Shourobh went to the court at around 3.45 pm and saw his mother lying unconscious on a court bench in the Court. He noticed that there were bruises on his mother's hands, face and waist.

Advocate Mohammad Harun-ur-Rashid, Dolly's lawyer:

Advocate Mohammad Harun-ur-Rashid told Odhikar that on April 29, 2012 at around 10.00 pm Dolly's elder brother Tayej Uddin Ahmed Mithu informed him through cellphone that police of the Wari Police Station had taken Dolly away. Although Dolly's son had gone to the police station with her, he was sent home after some time. On April 30, 2012, Advocate Mohammad Harun-ur-Rashid told two of his assistants Advocate Aolad Hossain and Advocate Shonkori Howladar to wait at the court entrance in the hope that Dolly might be brought to the Court at any time. On April 30, 2012 at around 3.30 pm he got to know from Advocate Aolad Hossain that Dolly has been brought to the Chief Metropolitan Magistrates Court in a police van. He then quickly went near the police van and saw Dolly being brought out of the van in a critical condition with the help of two police officers. Then she was laid down on the bench in the Metropolitan Magistrate Shahriar Mahmud Adnan's Court number 32. He could see that there were bruises on her hands, face and the back of her waist. During the hearing the police tried taking Dolly up to the witness box, but as she was seriously injured it was not possible. When the hearing began with Dolly lying down on the bench the police requested the Court to grant a 7 day remand for Dolly. However, the remand request was not granted upon the request of Dolly's lawyer Advocate Harun-ur-Rashid and after examining the physical condition of Dolly. The Court set May 6, 2012 as the next date for hearing and ordered that Dolly be kept at the Jail hospital and provided with proper treatment. On May 6, 2012, the hearing began all over again at Metropolitan Magistrate Keshob Rai Chowdhury's Court number 26. The Court granted a 3 day remand and ordered that Dolly be interrogated in the presence of two police woman. On May 8, 2012, a petition was filed in order to halt the interrogation but the Court did not give orders to halt the remand as interrogation had already begun. On May 11, 2012 Dolly was brought to Metropolitan Magistrate Abdul Kader's Court. As that day was a Friday, Dolly was taken to Dhaka Central Jail after showing that she was present at the Court, according to the rules. On May 13, 2012, an application for Dolly's bail was filed at Magistrate Keshob Rai Chowdhury's Court but the Court did not grant bail. When an application was filed for proper treatment of Dolly, the Magistrate ordered Dhaka Central Jail's Superintendent Mohammad Altaf Hossain to take appropriate steps for Dolly's treatment. It must be noted that on April 30, 2012 when Dolly

was brought to the Court Harun-ur-Rashid got to speak to Dolly for some time. When asked who had tortured her, she informed that AC Hayatul Islam of Dhaka City Detective Branch (DB) of police, along with a few others were involved.

Advocate Mohammad Aolad Hossain, assistant of Dolly's lawyer Advocate Mohammad Harun-ur Rashid:

Advocate Mohammad Aolad Hossain told Odhikar that on April 30, 2012, following instructions from his senior, Advocate Mohammad Harun-ur- Rashid, he began waiting at the entrance of the Court since morning, based on the possibility that Dolly might be brought to the Court. At around 3.30 pm when the Court is not in '*production*²' the police brought Dolly to the Court in a police van. Two police woman were bringing Dolly out of the van and as she was unable to stand on her own feet. The police carried her towards the Court. At that time, he saw bruises on Dolly's hands, face and waist.

Mohammad Rofiqul Islam, Officer in-charge (OC), Wari Police Station, Dhaka Metropolitan Police, Dhaka:

Mohammad Rofiqul Islam informed Odhikar that on April 29, 2012 at around 8.30 pm a team from the Dhaka City Detective Branch of police came to Wari Police Station. They asked for some assistance from the police station in conducting an operation in Wari. So he sent a team of policemen along with the DB police. The DB police arrested Dolly from Goalghat Lane of Wari and took her to the DB office. He also informed that there were no cases against Dolly in the Wari Police Station.

Sub Inspector (SI) Hirendranath Pramanik, Shahbag Police Station, Dhaka Metropolitan Police, Dhaka:

SI Hirendranath Pramanik told Odhikar that on April 29, 2012 at around 4.20 pm he went to the Secretariat upon hearing the news of a bomb blast near the gate of the Secretariat, collected evidence of the blast and came back to the police station to register the collected items. On April 29, 2012, at around 11.45 pm he filed a case as the complainant, naming 28 people and unknown miscreants at the Shahbag Police Station. The case number is: 44; date: 29/04/2012 under Section: 3/3A/6 Explosive Substances Act 1908³. He informed that the case is being investigated by Shahbag Police Station's Officer in-Charge (Investigation) Biplob Kumar Shil.

²The time when no one is brought to the court for trial.

³Section 3 of the Explosive Substances Act: Any person who unlawfully or maliciously causes by any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to person or property shall, whether any injury to person or property has been actually caused or not, be punishable with death, or with imprisonment for life, to which fine may be added, or with imprisonment for a term which may extend to ten years and shall not be less than five years, to which fine may be added.

Section 3A: Any person who causes by any explosion substance an explosion with intent to commit or, to enable any other person to commit, an offence punishable under any law for the time being in force shall, whether any offence has been actually committed or not, be punishable with imprisonment for a term which may extend to seven years and shall not be less than three years, to which fine may be added.

Section 6: Any person who by the supply of or solicitation for money, the providing of premises, the supply of materials, or in any manner whatsoever, procures, counsels, aids, abets, or is accessory to, the commission of any offence under this Act shall be punished with the punishment provided for the offence.

Biplob Kumar Shil, Officer in-Charge (Investigation), Shahbag Police Station, Dhaka Metropolitan Police, Dhaka:

Biplob Kumar Shil told Odhikar that on April 29, 2012 he began investigating the case number 44 filed by SI Hirendranath Pramanik. As there was no progress in the investigation, the responsibility of the case was handed over to Dhaka City Detective Branch (DB) of police on May 3, 2012. He informed that DB Inspector Topon Kumar was investigating the case.

Inspector Topon Kumar, Dhaka City Detective Branch of police, Dhaka:

Inspector Topon Kumar informed Odhikar that when a case was filed at Shahbag Police Station on April 29, 2012 was handed over to DB he received the responsibility of investigating the case on May 3, 2012. As the case was under investigation, he was unwilling to speak about it.

Hayatul Islam, Assistant Commissioner, Dhaka City Detective Branch of police, Dhaka:

Hayatul Islam told Odhikar that he was not present when *Jatityotabadi Mohila Dol* activist Dolly was brought to the DB office and interrogated.

Odhikar's observation:

Odhikar expresses grave concern about political activists being tortured by the police. According to Section 35(5) of the Constitution of Peoples' Republic Of Bangladesh, any kind of torture is illegal. Besides that Bangladesh has signed the Convention against Torture on October 5, 1998. Odhikar requests that the National Human Rights Commission take action in order to bring the police officers involved in torturing Rehana Yasmin Dolly under trial.