

A man killed in alleged encounter with RAB in Agargaon, Dhaka

Fact-finding Report

Odhikar

At around 10 O' clock in the morning on the day of Eid ul-Adha¹ on December 21, 2007 Md. Abdul Hannan alias Hanna (38) left home to buy hide of the sacrificed animals. Later on, he was allegedly held and taken away by a group of people in RAB uniform from a road near Premgali at Paschim Agargaon and killed by RAB on January 4, 2008.

Odhikar, a human rights organisation, conducted a fact-finding mission into the incident. During the fact-finding, Odhikar interviewed

- Witnesses to the incident
- Family members, relatives and neighbours of the victim and
- Concerned RAB, police and hospital authorities.

During the fact-finding, Odhikar talked to a number of people living near the place of incident. However, none of them agreed to comment on the incident for fear of incurring RAB's displeasure. A number of inhabitants of the area, who wished to remain anonymous, told Odhikar that they saw Hannan being detained and taken away by RAB 2 on the morning of December 21 and that they did not ever see Hannan in their locality after the capture. Hannan's family told Odhikar that they came to know of Hannan's detention from others and that they did not find him anywhere since December 21. They also informed Odhikar that an unknown person told them over the telephone in the early morning on January 4 that Hannan had been shot dead by RAB. Odhikar was also informed by the family that they received Hannan's corpse from the Dhaka Medical College Hospital morgue on the morning of January 5 following the post-mortem. Odhikar asked RAB for their statement on the incident but they refused to make any comment. They referred to the statement in the *Ejaha*², which they have filed at the police station.

According to the *Ejaha* filed by RAB, Hannan was killed at 1:20am on January 4 in an encounter with RAB.



File photo: Md. Abdul Hannan alias Hanna.

Akkas Ali—a guard at the gate of Government Music College (Sarkari Sangeet Mahavidyalaya)

While talking to Odhikar, Akkas Ali remembered that he was suddenly awakened by the gunfire at around 1 or 2 pm in the early morning of January 4 and came near the gate of the college but did not

¹ One of the two main Muslim festivals

² A written complaint filed by the informant (RAB) with the police station

open the gate. He told Odhikar that when he peeped outside, he saw 15 to 20 RAB personnel moving around. Akkas continued by saying that he did not go outside in fear and that he heard that a person named Hannan had been killed, whom he knew by the name.

Md. Jalil—witness

Jalil told Odhikar that after he was awakened by the gunfire on the night of January 4 between 1:30 and 2am, he came out of his house and saw a number of RAB men standing on the road in front of the Government Music College and a bullet-wound dead body lying in a CNG-run auto rickshaw nearby. Jalil said that he could recognise that it was Hannan's body. He told Odhikar that a police van reached the spot some time later. Jalil continued by saying that he saw the police take away the body after they prepared the inquest report in presence of a few people and the RAB personnel.

Sub-Inspector (SI) Golam Mostafa—Mohammadpur Police Station

While talking to Odhikar, SI Golam Mostafa commented that Hannan was a miscreant who was accused in many cases. Mostafa also said that RAB filed two other cases against him at 1:20am on the night of January 4, 2008.

The cases were:

Case No. 13, sections 332/353/307/302 of Penal Code and

Case No.14, sections 19 Ka (A) of the Arms Act and Kha (B) of the Special Powers Act, 1974.

SI Didarul Alam—an officer at Mohampur Police Station, who was investigating into the cases filed by RAB.

SI Didar told Odhikar that after they received a phone from RAB 2 at around 2am on January 4, saying that a miscreant had been killed in crossfire in front of Government Music College at Paschim Agargaon (West Agargaon), he went to the spot with a force by a police van. The police officer said that when they reached there, they saw a dead body lying inside of a CNG-run auto rickshaw. He informed that the RAB men told them that the driver of the auto rickshaw and the accomplices of the deceased had fled. He continued by saying that since they did not find any magistrate on the night of the incident, he himself prepared the Inquest Report of the body for police in presence of a few people. The officer said that he found no signs of injury on the dead body. He also said that a bullet hit the chin of the body and pierced through the back side of the head and that other two or three bullets hit the chest of the body and pierced through the back. SI Didar went on to say that the bullet-wound person died on the spot and that they took the body to the Mohammadpur Police Station after completing the inquest. He told Odhikar that when Hannan's family members came to the police station, they took the body to the Dhaka Medical College Hospital for post-mortem in their presence. The investigation officer said that police and RAB had seized two revolvers, four rounds of revolver-bullets and fifty bottles of phensydid³ from Hannan and Taka 3700 from his pocket and three pairs of leather sandals left by the miscreants. He added that they also took into custody a green-coloured auto rickshaw registered under the number: Dhaka Metro-Tha-12-7417. In an answer to a particular question asked by Odhikar, the police officer informed that no case of unnatural death had been registered regarding the death of Hannan and that Hannan had been accused in 19 cases.

RAB 2

Odhikar fact-finders contacted RAB 2 for their statement regarding the incident. However, they did not make any comment on the incident. They said that they had filed an *Ejahaar* at the Mohammadpur Police Station and asked Odhikar to refer to the *Ejahaar* for information.

³ An illegal, intoxicating cough syrup, smuggled into Bangladesh from India.

Ejahaar filed by RAB 2

(Extract from the Ejahaar—translated by Odhikar from the original Bangla version)

“With due respect I⁴ from the Mohammadpur Camp, Dhaka, am filing an *Ejahaar* with the police station to the effect that, being registered under General Diary 65 on January 3, 2008 at Mohammadpur Shia Masjid Camp of RAB 2, CPC 3, I along with BD 465171 Corporal Ariful Alam, ASI⁵/236 Md. Younuss Ali, Sepoy 60677 Md. Nazrul Islam was on patrol duty on the night of January 4 and from 12:30am we had been checking vehicles in a check-post set up on the road to the west of Agargaon Sangeet College under Ward 41 of Mohammadpur Police Station. At around 1:20am we saw a green-coloured CNG-run auto rickshaw moving towards our check-post. When my fellow RAB officials and I signaled the driver of the auto rickshaw to stop, the armed miscreants, who were in the auto rickshaw, opened fire at us, prompting us to retaliate to save our lives and public property. During the encounter the driver of the auto rickshaw and the miscreants managed to flee. Following the incident RAB found the dead body of a miscreant inside the auto rickshaw; he was hit by bullets in his chest and under his left chin. We informed the matter to the Mohammadpur Police Station. On hearing the gunfire, many people from around the place of incident came to the scene. Md. Jalil (35), son of the late Matlab Khan, from the village of Dakkhin Karukchar under Shibchar Police Station in the Madaripur district, who was presently residing at Ladener Baper Ghar in the slum in front of Shageet College, Agargaon, Mohammadpur, Dhaka; (2) Abdul Karim (55), son of the late Abdul Hakim, from the village of Shibram under the Burichang Police Station in Comilla district, who was presently residing at PWD Staff Collony, Agargaon; Abdul (60) from the village of Salia under Agargaon Police Station; other people who came to the spot and the police from the Mohammadpur Police Station identified the dead person as Abdul Hannan alias Hanna—the king pin in the drug peddling group and a notorious murderer, extortionist and miscreant who had strong influence over the Agargaon area under Mohammadpur Police Station. The Mohammadpur Police Station took Hanna’s body into their custody, prepared an Inquest Report and then sent it to Dhaka Medical College Hospital morgue. SI Md. Didarul Alam from the Mohammadpur Police Station seized two revolvers used by the miscreants, four rounds of revolver-bullets, a CNG-run auto rickshaw with registration No. Dhaka Metro-Tha-12-7417, 50 bottles of phensydil and three pairs of leather sandals used by the miscreants from the place of incident and Taka 3,700.00 from pocket of Hannan’s trousers before the witnesses, and took the items to the police station. Hanna’s residence was at 54B, Second Colony, Mirpur, Dhaka. His permanent address was: Abduler Bari (where he was a tenant), Ambagh Paschimpara, Konabari, Joudevpur, Gazipur district. He had been involved in extortion, drug peddling and many other kinds of criminal acts in different areas for a long time. There had been many complaints against Hanna, including three cases for murder, sixteen for other offences and a General Diary at the Mohammadpur Police Station. RAB shot 12 rounds of bullets during the shoot-out.”

Dr. Rafiqul Bari—Dhaka Medical College Hospital

During his conversation with Odhikar, Dr. Rafiqul Bari told Odhikar that he conducted the post-mortem into Hannan’s body. He confirmed that Hannan’s body was hit with five or six rounds of bullets. Dr. Rafiqul also said that he found no signs of beating on Hannan’s body during the post-mortem.

Raoshan Ara (35)—Hannan’s younger sister

Raoshan Ara told Odhikar that on the night of December 20, 2007—the day before the Eid day, Hannan visited her home at Mirpur but left after dinner. She said that once in the past, Hannan was

⁴ The name of the person who filed the *Ejahaar* on behalf of RAB 2 was not mentioned; even it was not signed by anyone. However, Odhikar came to know from Mohammadpur Police Station that the plaintiff was DAD 830354 Md. Sazzadul Alam from RAB 2, CPC 3.

⁵ Assistant Sub-Inspector.

involved in drug peddling and was jailed two years ago for drug-related offence but following his release from jail he never again got involved in drug peddling. Raoshan Ara told Odhikar that he used to do small business after he was released from jail. She said that on the Eid day on December 21 at around 11.00am an unknown person told her over the telephone that RAB had held and taken away Hannan. She said that they did not register any General Diary at the police station on the assumption that RAB would release him. However, she also informed, that when they contacted RAB 2 in search of her brother, the RAB officials there verbally abused them. Raoshan said that they took their warm clothes and food for Hannan but the RAB officials told them that they had not arrested Hannan. She said that the RAB officials suggested that she should contact the Adabar and Mohammadpur Police Stations. Raoshan continued by saying that they first went to the Mohammadpur Police Station and then to the Adabar Police Station but both the police stations told them that they had not arrested Hannan. She said that the Adabar Police Station suggested that they should contact RAB 2 and RAB 4. Raoshan told Odhikar that when they asked RAB 4 if they had detained Hannan, a RAB official by the name of Farida told them that RAB 4 had detained Hannan and threatened to detain them as well. Raoshan added that after Hannan went unaccounted for, they contacted RAB 2 and RAB 4 everyday in search of Hannan but were not given any information about him. She said that, in the early morning on January 4, an unknown person told them over the telephone that Hannan had been killed in an encounter with RAB and that his body had been in the custody of the Mohammadpur Police Station. She went on saying that, on hearing the news, they went to the Mohammadpur Police Station and saw her brother's dead body tied with nylon rope inside a CNG-run auto rickshaw, with his tongue sticking out and that SI Didarul Alam told them that they would hand over Hannan's body after the post-mortem was conducted.

Momtaz Begum (45)—Hannan's elder sister

Momtaz Begum, Hannan's elder sister, told Odhikar that Hannan left home in the morning on the Eid day on December 21 with Taka 130,000.00 to buy animal hides and was later held and taken away by RAB 2. She said that they contacted RAB 2 and RAB 4 and Mohammadpur and Adabar Police Stations in search of Hannan. However, she said, they were informed that they had not detain him. She added that, in the early morning on January 4, 2008, they learned that he had been shot dead by RAB.

Zahura Begum (50)—a neighbour to Hannan's sister

Zahura Begum informed Odhikar that she knew Hannan for a very long time. She commented that Hannan used to behave well with everyone and help the poor people of his locality. She said that two days after RAB held and taken away Hannan, she along with Hannan's brother and sisters, went to RAB 2 where she saw the RAB officials verbally abuse Hannan's family members. Zahura also said that she went to RAB 4 with Hannan's sister and when she asked a RAB official named Farida at RAB 4 about the money Hannan was carrying, she angrily said, "What money you are talking about?" She finished her talks with Odhikar by saying that in the early morning on January 4, 2008, Hannan's sister informed her that RAB had shot dead Hannan and his body had been kept at the Mohammadpur Police Station.

Malek—a neighbour to Hannan's sister

Malek told Odhikar that he accompanied others who went to the Dhaka Medical College morgue to collect Hannan's body. He said that he found the left hand of the body broken and black spots on the feet. Malek added that bullets hit Hannan's chin and chest and pierced through his head and back. He continued by saying that he found black spots on Hannan's neck and his tongue sticking out and that the doctor tried to put the tongue inside his mouth while conducting the post-mortem.

Wife of Hannan's brother-in-law

On condition of anonymity, wife of Hannan's brother-in-law told Odhikar that they were not in good terms with Hannan's family and that they did not even know where Hannan's wife had been living. She asked Odhikar not to contact them any more for information about Hannan or his family.

Amena (38)—Hannan's neighbour

Hannan's neighbour, Amena Begum told Odhikar that she saw Hannan being taken away by RAB on a vehicle on December 21, 2007 and that in the morning on January 4, 2008 she heard that Hannan had been shot dead by RAB. Amena told Odhikar that Hannan had no permanent residence at Agargaon but the family of his father-in-law had been permanent residents there. She continued by saying that about one and a half years ago Hannan, along with his family, used to live in his maternal aunt's house at Building No. 47 at Agargaon. She finished her talks with Odhikar by saying that one of Hannan's sisters had been living at Mirpur while another sister and a brother had been living at Savar.

Note:

Hannan's family requested Odhikar not to use their names in the report. They said that they were feeling intimidated after the incident because Hannan's elder brother, Billal was also shot dead on August 3, 2002.

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