



Jahurul Islam Mithu Shot to Death by RAB and Police at Ataikula, Pabna

Fact-finding Report
Odhikar

It has been alleged that Md. Jahurul Islam Mithu, 24, who was a resident of the village of Teli under Santhia Upazila¹ of Pabna district, was arrested at around 7.00 pm on August 21, 2008 by RAB12 from his neighbour's house and was later on brought near Bhulbariya Government Primary School at around 3.00 am on August 22, 2008, where he was shot and killed by RAB and police officers. The allegation has been made by the deceased's family members.

On the other hand, the RAB and police authorities have claimed RAB 12 and Ataikula Police jointly raided the field of the Bhulbariya Government Primary School at around 3.00 am on August 22, 2008 after receiving news from a secret source that members of Purbo Banglar Communist Party [ML-Red Flag] were holding a meeting at that particular venue. During the raid, there was a 'shootout' between RAB, and police and the members of the Purbo Banglar Communist Party [ML-Red Flag] and Mithu was killed in 'crossfire' during the 'shootout'.

On the basis of the allegation made by the deceased's family Odhikar conducted a fact-finding mission into the incident. During the fact-finding, Odhikar spoke with:

- The relatives of the deceased
- Witnesses
- The doctor and the morgue assistant who carried out the post-mortem
- Members of the concerned law enforcement agencies

Asiya Khatun (65), Jahrul Islam Mithu's mother

Asiya Khatun told Odhikar that Mithu was arrested under a case four years ago and was in jail as an under-trial prisoner for one year. After getting bail in that case, Mithu went absconding leaving his wife and two children at home. She said that she had learnt from others that Mithu was a member of the Purbo Banglar Communist Party [ML-Red Flag]. After hearing this, she had requested him to sever ties with the party but he did not listen to her. On August 20, 2008, Mithu returned home and spoke with his wife and children. Since there was a case against him, Mithu spent the night at the house of Abu Taleb Master², who was his maternal uncle and neighbour. At around 7.00 am on August 21, 2008, 10/12 people arrived in a micro-bus and surrounded Taleb's house. Seeing a gathering of people Asiya went towards Taleb's house to see Mithu being taken away with his hands tied. When other people began to gather, the men wore RAB vests and chased the crowd away. Mithu was kicked on his waist. At one point the RAB officers took Mithu

¹ Upazia is an administrative unit under a district in Bangladesh.

² Abu Taleb was an ex school teacher and that is why he was popularly known as Taleb Master. It was not possible to interview Abu Taleb Master as he was out of the country during the fact-finding mission. Moreover, on the night of August 20, 2008, nobody except Mithu was in Taleb Master's house.

into their car. Asiya did not seek Mithu's whereabouts after this incident. At around 7.00 am on August 22, 2008, she learned from some of her neighbours that Mithu had been killed in 'crossfire' at the Bhulbariya area. She then sent her elder son Anisur Rahman to the Ataikula Police Station to find out what had happened. At around 11.00 am Anisur Rahman returned from the police station and told her that Mithu's body had been taken by the Ataikula Police Station to Pabna for post-mortem. Asiya said that after completion of the post-mortem, Mithu's body was returned to them at around 4.00 pm. Asiya alleged that her son had been killed in the name of 'crossfire'. She demanded a fair investigation into the incident.

Mosammat Taslima Khatun (21), Mithu's wife, Teli village, Ataikula, Pabna

Mosammat Taslima Khatun told Odhikar that Mithu would stay absconding after getting out of jail on bail. On the evening of August 20, 2008, Mithu came home and spent the night at Abu Taleb's house.

At around 7.00 am on August 21, 2008, 10/12 armed men in a white colored micro-bus arrived and surrounded Taleb Master's house. They entered the house where Mithu was staying and tied his hands and began to beat him. They then wore RAB vests, tied a black cloth around Mithu's eyes and took him into their vehicle and left. At around 7.00 am on August 22, 2008, she came to know that her husband had been killed in 'crossfire' and that his body had been kept at the Ataikula Police Station. Police returned Mithu's body at around 4.00 pm that day. Taslima said that one of Mithu's hands was broken. She alleged that her husband had been killed and demanded justice for the incident.

Anisur Rahman (40), Mithu's brother

Anisur Rahman told Odhikar that Mithu was hardly in touch with his relatives because of his involvement in radical politics. He had tried several times, but failed to bring Mithu away from politics. After returning home at night on August 21, 2008, he learned that Mithu had been taken away by RAB. On August 22, 2008, his neighbour, Nurul Islam, informed him that he had been told over the telephone by Assistant Sub-Inspector (ASI) Shahidullah from the Ataikula Police Station that Mithu had been killed in 'crossfire'. After getting the news Anisur went to the Ataikula Police Station at around 10.00 am to see Mithu's body. According to him, there were three bullet wounds on the left side of Mithu's chest and skin of his left arm was also scraped off. Anisur said police returned Mithu's body at around 4.00 pm that very day.

Saiful Islam (30), witness to Mithu's body, Bhulbariya village

Saiful Islam stated that at around 3.00 am on August 22, 2008, he heard many gunshots from the northern direction of his house. After 15/20 minutes when the gunshots stopped several RAB officers summoned him. They showed him a dead body lying on the ground and asked him if he knew him or not. Saiful said that he could not identify the body and then was told by the RAB officers that the body was of Jahrul Islam Mithu from the Teli village. At around 3.30 am the RAB officers left with the body.

Sree Boiddyanath Das (45), Bhulbariya, Ataikula, Pabna

Sree Boiddyanath said he woke up from sleep at around 3.00 am on August 22, 2008, hearing gunshots. He woke up to see RAB and police cars standing on the field of the

Bhulbariya Government Primary School. He saw 7/8 police officers and 15/20 RAB officers wandering around and firing shots. In total Sree Boiddyanath heard 30/40 gunshots. He stated that after 15 minutes he heard them cry, "Catch! Catch! Kill! Kill!" After the firing ended he too like others was called by the police and RAB officers to a paddy field owned by a man called Shadhu and shown a dead body and asked whether if they knew him. Boiddyanath told them he could not recognize the dead body. Later on the police and RAB officers took the signatures of three men on a sheet of paper and the signatures of three further men on another sheet of paper. After this the police officers left with the body.

Mokbul Hossain, Member, Ward No. 4, Bhulbariya Union Parishad³

Mokbul Hossain told Odhikar that at around 3.00 am on August 22, 2008, he heard gunshots which he felt were coming from the rear end of the Bhulbariya Government Primary School. When he informed the matter to Sub-Inspector (SI) Mizan of the Ataikula Police Station over the cell phone, he was told that 'crossfire' was going on there. After the firing ended he along with several others were summoned by the police and RAB officers at around 3.25 am. They then showed the summoned men a dead body on the ground and informed that the dead man was Md. Jahurul Islam Mithu from the Teli village and that he had died in 'crossfire'.

Sub-Inspector (SI) Shamim, Ataikula Police Station, Pabna

SI Shamim said that at around 12.30 am on August 22, 2008, he came to know from a secret source that a good number of members of the Purbo Banglar Communist Party [ML-Red Flag] had gathered for a secret meeting at the field of the Bhulbariya Government Primary School. On the basis of the news a joint force consisting of ASI Syed Hasan Hafiz leading a 7 men police force and Aurangzeb, a Deputy Assistant Director (DAD) of RAB 12, leading a 15 men RAB force raided the school field on the basis of the news given by the police force. At one point during the raid, SI Shamim said, there was an exchange of gunfire between them and the 'criminals' for 15/20 minutes. He said the criminal gang retreated at one point. The police officer stated that after the gunfire ended, the police and RAB found the dead body Jahrul Islam Mithu, a resident of the village of Teli and a Regional Commander of the Purbo Banglar Communist Party [ML-Red Flag], lying on the ground. After the completion of the post-mortem Mithu's body was returned to his family members. He continued by saying that there were a total of 9 cases filed against Mithu among which 6 were murder cases.

A F M Masum Rabbani, the Superintendent of Police (SP), Pabna

The SP of Pabna, AFM Masum Rabbani, said the police of the Ataikula Police Station and the Crime Prevention Company 2 of RAB 12 jointly carried out a raid after receiving information that the members of the Purbo Banglar Communist Party [ML-Red Flag] had gathered beside the Bhulbariya Government Primary School for a secret meeting. During the raid there was an exchange of gunfire between the Purbo Banglar Communist Party [ML-Red Flag] members and the police-RAB forces. The SP said Jahurul Islam Mithu was shot and killed during the firing.

³ Union Parishad is the lowest level of the local government in Bangladesh.

Flight Lieutenant Ahmed Faisal, Commander, Crime Prevention Company 2, RAB 12

Flight Lieutenant Ahmed Faisal said that at around 1.45 am on August 22, 2008, Ataikula Police Station informed RAB 12 on the basis of the information from a secret source that 8/9 members of the 'banned' organisation Purbo Banglar Communist Party [ML-Red Flag] had gathered for a meeting in secret on the agricultural land of one Shadhu from Bhulbariya village, located on the western side of the Bhulbariya Government Primary School. A 15-member force led by Aurangzeb, a Deputy Assistant Director (DAD) of RAB 12, went to the Ataikula Bazaar at around 2.30 am. A police force led by Sub-Inspector (SI) Syed Hasan Hafiz was waiting at the Bazaar from before. At around 3.00 am, the RAB and police joint forces cordoned the Bhulbariya school area. Realising the presence of the RAB and police, the RAB officer said, the 'criminals' opened fire on them. He said the RAB and police fired back and this resulted in a shootout between the two groups. According to Flight Lieutenant Faisal, after 15/20 of firing, the 'criminals' fled and the RAB and police searched the whole area and found one foreign revolver and five rounds of bullet, one .303 rifle and five rounds of bullet. At one point during the search they found the dead body of Jahrul Islam Mithu, a regional commander of the 'banned' political organisation Purbo Banglar Communist Party [ML-Red Flag], who was a resident of Teli village, lying on the ground.

Abdul Baten Mollah, the doctor who had performed the post-mortem on Mithu's body, General Hospital, Pabna

Doctor Abdul Baten Mollah told Odhikar that he would not be able to say anything regarding the post-mortem without the permission from Doctor Shujit Kumar Roy, the Civil Surgeon⁴ of Pabna.

Doctor Shujit Kumar Roy, Civil Surgeon, Pabna

Doctor Shujit Kumar Rai refused to make any comments regarding the post-mortem.

Abdur Rahim (42), the man who had washed Mithu's body

Abdur Rahim recalled that he saw three bullet wounds on the left side of Mithu's chest along with marks on his left arm which suggested that it had been tied up.

-The End of Report-

⁴ A Civil Surgeon is the head of the public health administration of a district in Bangladesh.