

**Death of Upazilla Porishod (UP) Chairman Abu Zafor Molla in Ujirpur
Upazilla in Rapid Action Battalion (RAB) and Police Encounter**
Fact Finding Report
Odhikar

On 27th December 2008, at around 1:30 in the morning, Chairman of Shatla Union Abu Zafor Molla (50) of South Shatla village of Ujirpur upazilla, Parvez Bali (36), Boni Amin Bali (30) and Manik Biswas (35) were caught by the public from near Labanshara Halima Khatun Senior Mohila Madrasa of Banaripara upazilla of Barisal District. At around 1:40 in the morning, police of the Labansara police investigation centre rescued the four, from the public and handed them over to Banaripara police station. Police kept all four of them in the lock-up the whole day. Zafor Molla's family complained that on the 28th of December 2008, at around 4 o'clock in the morning, in the name of recovering arms, only Abu Zafor Molla was taken from Bonipur police lock-up by a combined team of RAB and police to Anil Bain's residence adjoining C&B road of Ujirpur North Shatla and was killed in an encounter there.

Human rights organisation Odhikar went to the spot to investigate.
While investigating, Odhikar talked to:

- Abu Zafor Molla's family and relatives
- Witnesses
- Law enforcing agencies
- Doctor at the hospital and a Morgue Assistant¹



Abu Zafor Molla

Mosammot Amena Begum (38), wife of Abu Zafor Molla, South Shatla, Ujirpur, Barisal

Mosammot Amena Begum told Odhikar that, on the 26th of December 2008, at around 10 at night her husband Zafor Molla, set off from the house to attend an invitation at the residence of Sayed Shahidul Haq Jamal, expelled Bangladesh Nationalist Party (BNP) member and Shatantra Party candidate of Labonshara village of Banaripara. She said that he took two motor cycles from the house while leaving. He also left his mobile phone at home. Jamal

¹ A man who is involved with dissection of dead bodies in hospitals

called when Amena picked up his call and he told her to tell her husband to come to his house. Her husband came back, took his mobile phone and went to Jamal's house. Jamal was the expelled member of the BNP and an independent candidate. She said that her husband was working for the BNP candidate of Ujirpur-Banaripara constituency, Sharfuddin Shantu. Amena also said that, while coming back home after visiting Jamal's house and attending the invitation, people of Labanshara village thought that from this time onwards instead of Shantu, Zafor Molla would take money from Jamal and distribute it amongst the voters. The people of the village surrounded them on this very basis. The people took away four mobile phones and the two motor cycles from the men. She said that on 27th December 2008, around 1:30 in the morning they were handed over to the police. She said that after arrest, instead of transferring them to the court, they were held unlawfully in the police lock-up. Her husband was killed in an encounter on the 28th of December 2008, at around 4 o'clock in the morning on the C&B Road adjoining Anil Bain's house at North Shatla. She said that a gun was kept the dead body to complete the drama. She demanded punishment of those involved through proper investigation. She said that her husband is the Chairman of the Shatla UP. There are 120 bighas of land beside their house which a Non-Governmental Organization (NGO) took control of Md. Atiar Rahman, of a neighbouring locality, wanted the Chairman's assistance to encroach the land. But since the Chairman did not support such an illegal task, Atiar Rahman filed many cases, against him. She complained that after her husband was arrested on the 27th of December 2008, Atiar Rahman helped RAB and police to kill her husband.

Md. Abu Tajin Molla (19), Zafor Molla's son

Md. Abu Tajin Molla told Odhikar that, on the 26th of December 2008, his father came back home from the election campaign meeting for the BNP candidate of Ujirpur-Banaripara constituency, Shorfuddin Shantu, which was held on the grounds of the Shatla United Maddhamik Biddayalaya at around 8 o'clock in the evening. His father's mobile phone kept ringing on and off while he was home. He got to know that Sayed Shahidul Haq, expelled Bangladesh Nationalist Party (BNP) member and Shatantra Party candidate called upon his father to meet him and his father went to meet Shahidul, at around 11:30 at night, at Jamal Mia's house with his motor cycle and he had companions Parvez Bali, Boni Amin Bali and Manik Biswas Abdus Salam Howladar along with him. On the 27th of December 2008, some unknown man called around 2:00 in the morning and informed them that his father left the election campaign for Shantu and is now participating in the election campaign for Jamal and while distributing money amongst voters of the village at night, he was caught by the villagers and handed over to the police. Hearing this news, Tajin went to the Labonshara Police Investigation Center of Banaripara at 4:00 in the morning on the 27th of December 2008. After going there he saw that his father was locked up in a separate cell and he got to know that the rest were in another cell. Abdus Salam, who was accompanying his father, had fled. Two pick-up vans carrying members of RAB and Army arrived at around 8:00 in the morning. He could see that his father was escorted by two members of RAB, who held Zafor by his shoulders and was being taken to the pick-up from the police cell and his father couldn't walk properly. Members of RAB, Army and police blind folded his father and took him away. He kept waiting at the investigation centre. They brought his father back to the investigation centre at around 10:00 in the morning again. He (Tajin) went back home in the

evening. On the 28th of December 2008, an anonymous phone call at around 4:30 in the morning informed him that his father was killed in crossfire by the RAB and police and his dead body had been left beside Anil Bain's house beside C&B Road. He went to the spot at around 5:00 in the morning and saw his father's body lying face down. He said that his father received four bullet shots in his chest but there was no sign of blood on the ground. He said that he thought his father was killed elsewhere and was later put in that place and the whole scenario of 'cross fire' was a staged.

On 16 May 2009 Abu Tazin Molla told Odhikar that two months ago when he was preparing to file a case, a man came to his home by motorcycle and introduced himself as a RAB official. That RAB official advised his mother Amena Begum not to file a case.

Md. Abdus Salam Howladar (28), South Shatla

Md. Abdus Salam Howladar told Odhikar that, he was with Zafor Molla through out the election campaigning. On the 26th of December 2008, Zafor Molla came back home after completing the election meeting that was held at the field of east Shatla United Maddhomik Viddiyala which was held for BNP candidate of Ujirpur-Banaripur constituency, Shorfuddin Shantu. Sayed Shahidul Haq Jamal, expelled member of BNP and Shatantra party candidate, called Zafor in his mobile phone repeatedly and asked to meet him by dusk. Zafor Molla asked him to prepare motor cycles to go to Jamal's house. He told Salam that Jamal would give some money which he needs to bring. But he did not want to go. After a few hours at around 11:30 at night, Zafor Molla went towards Jamal's house along with Parvez Bali, Boni Amin Bali and Manik Biswas. A few of them sat outside in the veranda and Zafor and Boni went inside the room to discuss. After a long discussion, Zafor sat with everyone to have dinner and asked them to sleep in another room. After a while Zafor said that Jamal's election supporter Chana Mia, brother of Noni called. He would be there so they have to move out. After saying these words, he got on his motor cycle and went towards his house. Salam said that the first car was being driven by Manik, Zafor was sitting in the middle and Salam was sitting behind Zafor. Parvez and Boni were in the following motor cycle. When the two motor cycles neared the madrasa, 10/12 people stood in front and asked them to halt and wanted to know their identity. Zafor Molla said that he is Shatla's Chairman. Right after Zafor said these words a man shouted, "Get hold of them, they are here to give the money of dhaner shish²." They were dragged off the motor cycles and the mob started punching, kicking and hitting them with wooden sticks. They snatched mobile phones, papers, money and everything the five men had. They tied Zafor Molla, to a beetle nut tree. Zafor told them not to hit him and inform Chana because he knows Chana will verify his activities. But they did not listen and a few men locked him inside a room. He could hear sounds of their cry from outside. He escaped through the window of the room. Salam rushed to Jamal Mia's house and told him everything in detail, but instead of rescuing Zafor, Jamal advised Salam to leave his home. At last, after sitting in a corner of Jamal's veranda till around 4:00 in the morning, he fled away to Shatla. He came to know that Zafor Molla was handed over to the police along with some arms. He informed different people and tried to rescue Zafor. Salam said that they had no arms with them. He believed that to take revenge related to the

² Dhaner Shish: Sheaf of Paddy. The emblem of the Bangladesh Nationalist Party (BNP). Here it means the BNP.

election, this was Jamal's plan. On 28th December 2008, he came to know that Zafor Molla was killed in cross fire. Hearing the news, he went to the spot and saw Zafor's body lying down.

Milon Munshi (51), witness to arrest, Labanshara, Ujirpur, Barisal

Munshi told Odhikar that, on the 27th of December 2008, around 1:30 at night, the Chairman of Ujirpur upazilla's Shatla Union Zafor Molla, Parvez Bali, Boni Amin Bali, Manik Biswas and Salam went to the house of Jamal, expelled Bangladesh Nationalist Party (BNP) member and an Independent Party candidate, riding on two motor cycles. People suspected and then captured them. He could recognise all of them. He said that Zafor Molla was campaigning for BNP candidate Shantu, all through. But then all of a sudden Zafor Molla was working with Independent Party candidate Jamal. People thought that Zafor would now buy votes with money in Jamal's favour. The villagers were all alert due to the 9th National Parliamentary Elections that was to be held on the 29th of December 2008. On the night of 27th of December 2008, the villagers saw them roaming around Halima Khatun Mohila Senior Madrasa and thought that they were there to buy votes, and on this basis they captured them. Seeing the situation, he called the Camp In-charge (IC) of Labanshara Police Investigation Centre, S.I Jahangir Alom on his mobile phone, letting him know the whole situation. He said that the villagers tied the four of them, with a rope, to a tree. S.I Jahangir Alom came to the spot along with Constable Alauddin, Abu Bakkar and Abdul Hakim and found a revolver and TK-3500/- upon searching the bodies of the four. He seized the revolver and the money found and made a seizure list and took signatures of the four. He also said that, the four of them were taken to the Police Investigation Centre after about 20 minutes. After their arrest the people slapped and punched them a few times.

Sub Inspector (S.I.) Jahangir Alom, IC, Labanshara Police Investigation Center, Banaripara, Barisal

Jahangir Alom told Odhikar that, he was on duty in the Baishari area, to protect law and order related to the elections on the 26th of December 2008, around 8:00 in the evening, along with Constable Alauddin, Abu Bakkar and Abdul Hakim. On the 27th of December 2008, at around 1:30 in the morning, Milon Munshi, called him and said that four men came into the Baisari area of Labanshara, and were distributing money relating to the election. They were Parvez Bali of South Shatla village of Ujirpur thana, Abu Zafor Molla, Boni Amin Bali and Manik Biswas. Milon Munshi also said that the activities of the four were suspicious, and hence they were captured by the villagers. He then went to the spot along with fellow police men. He found the accused tied to a tree by rope behind the Halima Khatun Mohila Senior Madrasa, beside the Labansara- Awar road. As per GD no- 562, of the Investigation centre, he searched the accused's body. He said that he found a local made simple-shot gun loaded with one round of bullets which was tucked in the back of the waist of Abu Zafor Molla's pants and found one round of bullets in the right pocket of his pants. He also informed that, tucked on the right side of Boni Amin Bali's waist he found a revolver without a chamber. He seized the arms and bullets, and made a seizure list, in which he took signatures of Milon Munshi, Hares and Abdul Jabbar Mir. He informed that the four accused persons were kept in safe custody. After keeping them the whole day, at around 4:30 in the afternoon, he filed a case against the four for keeping illegal arms and bullets, in the Banaripara police station,

being the complainant, case no- 17/104, sec-1978 of the Arms Law 19-ka. S.I. Zahirul Alom is the investigation officer assigned to this case.

Sub Inspector (S.I.) Zahirul Alom, Banaripara Police Station, Barisal

S.I. Zahirul Alom told Odhikar that, on the 27th of December 2008, during interrogation, Abu Zafor Molla, accused under case-17, confessed that there were more arms. When Zafor said that, he will be able to hand over more arms if taken to the area, he informed this to the duty officer Golam Rahman. Golam Rahman then informed this to the Police Super of Barisal Taufique Mahbub Chowdhury and Major A.K.M. Mamunur Rashid of RAB-8. He also mentioned that, on permission of the higher authority, as per G.D no- 1106 on 27/12/2008, accused Zafor Molla was taken to Ujirpur police station from Banaripara police station, around 10:00 at night. On the 28th of December 2008, around 1:00 in the morning, the members of Ujirpur police and RAB-8 came together. Terrorists had already taken position to free Zafor Molla from police, when he was taken to recover arms at 4:00 in the morning to a place named Muribari, C&B Road, Uttar Shatla and in order to rescue him (Zafor) they started a heavy shootout. The RAB and Police launched a counter attack. Zahidul Alom said he shot two rounds and RAB members shot seven rounds of fire. Zafor Molla fled away. They looked for the accused, as soon as day light started to brighten. They could see Zafor Molla's dead body lying on the south facing road of Anil Bain and a little away from Rupali's house. Upon searching the area, 2 revolvers, 1 round active bullets, 1 pipe gun, 1 ramda, 6 rounds of active bullets of .303 riffles, 3 bullet shells and 6 rounds of active bullets of a shot gun were found. During the shoot out, police members were injured, but he did not mention names of police men who were killed. He also said that he filed two complaints in the Ujirpur Police station, one for recovery of arms and bullets and the other for Zafor's death from being shot. Magistrate Mahbubul Karim came to the spot around 6:00 in the morning and made a petition of complaint for an inquest report. Later the police of Ujirpur Police Station took the dead body for post-mortem examination. He informed that there are many cases against Zafor Molla. In the mean while 3 cases and 3 GD's in Ujirpur police station, 1 case in Agailjhara police station, 1 case in Bakerganj police station, 1 case in Kotwali police station of Gopalganj district and 1 case in Shahbagh police station of Dhaka district are filed.

On 16 May 2009 SI Zahirul Alom of Banaripara Police Station told Odhikar that SI Jahangir Alom submitted a charge sheet after investigating the case number 17 that was filed by him. He informed that Parvez Bali, Boni Amin Bali and Manik Biswas of Shatla village were named as accused and were in jail.

Md. Shahrum Khan, Duty Officer, Ujirpur thana, Barisal

Md. Shahrum Khan told Odhikar that, on the 27th December 2008, at around 11:00 at night, he was informed that RAB and police would go on an expedition in the Shatla area, from the police control room. He said that on the 28th of December 2008, at around 4:00 in the morning members of RAB-8 and Banaripara police went to the area in order to recover arms along with accused Zafor Molla and found a few arms. In the mean time the terrorists who were already hiding there to rescue Zafor, fired at the RAB and police men. When RAB and police fired at them, the miscreants retreated. Zafor died in the crossfire that took place

between both the parties. He said that he went to the spot immediately after hearing the news of death, at 6:00 in the morning, and sent the dead body to Sher-E-Bangla Chikitsha Mohabiddyalaya Hospital around 8:00 in the morning for post-mortem examination. He informed that S.I Zahirul Alom filed two cases as complainant, on the basis of hampering a Government officers job as per the Arms Act; Case no. 28: date- 28/12/2008: and the investigating officer to this case is S.I. Mizan and case no. 29: date-28/12/2008: and the investigating officer to this case is S.I. Zafor. He also complained that Zafor Molla was the area leader of Kamrul Group of Purba Bangla Communist Party³ and there are many police cases filed against him in different police stations.

Flight LT. Monir, RAB-8, Rumatoli, Barisal

Flight LT. Monir told Odhikar that, as per information given by the police, a group of RAB members along with the policemen of Ujirpur and Banaripur made a combined expedition on the 27th of December 2008. He said that Zafor Molla, present Chairman of the Shatla union died in crossfire during the expedition on the 28th of December 2008. He also informed there are seven charges against Zafor Molla including charges for murder, in many police stations. He requested Odhikar to contact RAB head quarters for any further inquiry.

Rupali (35), C&B road, North Shatla, Ujirpur, Barisal

Rupali told Odhikar that on the 28th of December 2008, at around 4:00 in the morning, she could hear people whispering in the northern side of her house. After a while, she heard the sound of firing 5/7 times. She saw 14/15 people wearing the uniform of RAB and police, through the fence of her house. After sounds of firing were over, she could see a dead body lying near the roots of a Kopila tree. She didn't come out of her house, in fear. She said she heard no shouts. She said that more police men came near 6:00 in the morning. Police made the inquest report and took the dead body. She said that on 29th December 2008, two RAB members came and talked to her around 3:30 in the afternoon. They wanted to know if she was aware of the incident that took place on the 28th of December 2008. She wanted to avoid trouble and told them she did not know anything.

Afad Bain(70), C&B Road, North Shatla, Ujirpur, Barisal

Afad Bain told Odhikar that on the 28th of December 2008, around 4:00 in the morning he heard sounds of firing 4/5 times 4/5 minutes before the Fajr prayer call on the northern side of C&B Road near Rupali's house. On hearing the firing, he joined the curious on lookers and saw RAB and police men. Nobody went forward in fear. There were two RAB and police cars on the road. The OC of Ujirpur came around 6:00 in the morning with another car. After a while the Magistrate came in another car and on completion of the circumstantial report, they left with the dead body.

³ A left under ground party.

Dr. Habibur Rahman, post-mortem examination doctor, Sher-E-Bangla Chikittsa Mahabiyyalaya hospital, Barisal

Dr. Habibur Rahman told Odhikar that Zafor Molla died in crossfire. He refused to say anything more about the post-mortem examination.

Bijoy, Morgue Assistant, Sher-E-Bangla Chikittsa Mahabiyyalaya hospital, Barisal

Bijoy told Odhikar that on the 28th of December at around 8:00 in the morning, the police of Ujirpur station bought in the dead body of Abu Zafor Molla. The post-mortem examination of the body was conducted at around 12 noon. He said that there were four bullet shots on the chest and had hit 2 ribs of the body. A bullet was taken out during the post-mortem examination. There was a bruise on his left hand. On completion of the post-mortem examination, Police took the body of Jafor Molla away.

Habibur Rahman (45), Imam of Jayakandi Jam-E-Masjid and person who bathed the body, Shatla, Ujirpur, Barisal

Habibur Rahman told Odhikar that he was going to the mosque on the 28th of December 2008, to give Azan for the Fazr prayers at around 4:00 in the morning and all of a sudden he heard the sound of firing coming from the northern side of Shatla's C&B Road. After the prayers were over, he went to C&B Road along with a few others. He saw 2 cars belonging to RAB and police. 6 RAB members and 8/10 police men were standing around. A bearded RAB member called him and asked him if he could recognise the dead body that was lying on the ground. He said that it was Chairman Abu Zafor Molla's body. The body was face down and the face was covered in mud. He presumes that the dead body moved. There was a revolver and ramda lying beside the body. Then a lot of people came. He went home. He said that around 4:30 in the afternoon, the body of Jafor Molla was brought by the police under strong guard. He bathed the body of Jafor Molla with five other helpers. He said the right hand and leg of the body were broken. There were 2/3 scars at the back. There were signs of four bullet shots on the chest. He said that the police men did not let anyone come near the dead body when they were bathing him and he also performed the Janaza once under strong police guard and was not allow a second Janaza. The police men buried the dead body in a hurry and left.

Special Note:

- On 16 May 2009 Sayed Shahidul Haq Jamal, who was expelled from BNP and contested as an independent candidate during the election told Odhikar that since he was not keeping well, he was unable to talk to Odhikar.
- Odhikar failed to communicate with Parvez Bali, Boni Amin Ali and Manik Biswas as they were in jail.

-The End-