



The Torture and Death of BNP leader Orbindo Mondol Bulu in Rupsha, Khulna

Fact-finding Report Odhikar

At 1.00 am on September 18, 2009, the police of the Rupsha Police Station went to the home of Orbindo Mondol Bulu (47) of the village of Doba in Rupsha, Khulna to arrest him. The family members of Bulu alleged that the police, after arresting him, had killed him by strangling and beating.

Odhikar conducted a fact-finding mission into the incident. During the fact-finding mission, Odhikar spoke with:

- Relatives of the deceased Orbindo Mondol Bulu
- Eye-witnesses
- Doctor who performed the postmortem of the deceased's body
- Members of the law enforcement agencies



Photo: Orbindo Mondol Bulu

Lilima Mondol (30), wife of Bulu

Lilima Mondol told Odhikar that her husband was formerly a Member of Ward No. 6 of the Ghatbhog Union Parishad¹ and later on was a teacher of the Noihati Registered Primary School. After Bulu was accused in a murder case, he left his job of teaching and started fish trading job through which he earned a living. At the same time, he was the General Secretary of the Ghatbhog Union unit of BNP². At 1.00 am on September 18, 2009, a group of police officers surrounded their house and woke Bulu up from sleep. When she asked them why they had come, the police told her that arrest warrants had been issued against Bulu under two cases and that he would have to go to the Police Station immediately. Lilima told the police officers that the Court had granted Bulu bail in both the cases and showed them the bail documents. Despite this, the police insisted Bulu get dressed and accompany them to the police station. Bulu told them that he would go to the police

¹ Union Parishad is the lowest tier of the local government in Bangladesh. Union Parishad consists of several members, headed by a Chairman.

² BNP: Bangladesh Nationalist Party. One of the major political parties in Bangladesh. BNP is the main Opposition in the present Parliament.

station in the morning. He also requested the police officers to leave. The police however paid no heed to Bulu's words or requests. Bulu on the pretext of putting on clothes, tried to leave the house through the back door. While Lilima was arguing with Sub-inspector (SI) Azad, she heard people running behind her house. Moments later several police officers grabbed her and her brother-in-law Purnendu Mondol by their hands and dragged them to the neighbouring house of Nirodh Bisshash. Lilima saw her husband lying face downwards on the front lawn of that house. On that spot a police officer shook Bulu's body several times. Seeing no movement the police officers immediately fled the scene. According to Lilima, the police officers and the criminals who were accompanying them took Bulu away through the back door while she was busy arguing with SI Azad. She alleged that the police had taken Bulu outside where they strangled and beat him to death.

Nirmelendu Mondol (48), brother of the late Bulu

Nirmelendu Mondol told Odhikar that Bulu entered the political scene as a close friend of Mostafa Rashidi Shuja, former Whip and General Secretary of the Khulna District Awami League. Bulu joined BNP in 1989-90. During the previous term of the Awami League Government when the Government declared a general amnesty for the members of extremist political groups, Onadi, an extremist group leader gave up his arms and joined the Ansar³. Later on Onadi left his job and rejoined the extremist group again. Onadi ended up dead at the hands of unknown persons. Later on, Bulu was accused in the Onadi murder case to harass him politically. According to Nirmelendu, Bulu was a mere teacher at a primary school. He was forced to leave his job and join the fish trade due to the false case that was filed against him. Bulu would always avoid arrest. Following the election in 2008, through which Awami League came to power, Bulu left for India. He came back to Bangladesh on September 12, 2009 with the knowledge that things had stabilised. Nirmelendu went on to say that Bulu was accused in an extortion case 8 years ago. However Bulu's name was left out of the Charge Sheets of both the murder and the extortion cases. Surprisingly three months earlier, the police began to re-investigate the extortion case that was filed 8 years ago. A group of people were conspiring to harm Bulu. On June 1, 2008, Anil Kumar Das from the village of Doba filed an extortion case against Bulu and Gobindo Bisshash under Sections 3 and 4 of the Ain-Srinkhola Bighnokari Oporadh (Druto Bichar) Ain 2002⁴ at the Rupsha Police Station. The case was numbered 1. Later on in June 17, 2009, other unidentified people had taken adverse possession of some property and a fish firm and had looted fish. On this allegation Poritosh Bagchi of the same village filed another case against 17 people including Bulu along with 9 or 10 other unidentified people under sections 143, 323, 324, 325, 326, 307, 379 and 380 of the Penal Code 1890. Bulu was granted bail on both these cases on September 14, 2009.

Nirmelendu also informed Odhikar that Advocate Shujit Odhikari, Joint Secretary of the district Awami League, was the legal counsel for the Petitioners in all the cases filed against Bulu. He believed that Advocate Odhikari was behind the killing of his brother. Nirmelendu went on to say that on the night of Bulu's murder at 1:00 am on September 18, 2009, the police had brought several criminals along with them, who secretly waited outside Bulu's house. When Bulu opened the back door of his house, they took him away to the front lawn of Nirodh Bisshash's house where they beat and strangled him to death. Nirmelendu demanded justice for his brother's murder through a fair investigation.

Purnendu Mondol (41), brother of Bulu and a complainant of the case

Purnendu Mondol told Odhikar that at 1.00 am on September 18, 2009, SI Azad accompanied by a group of police officers, came to their house and took Bulu outside. They wanted to take Bulu away stating that there were arrest warrants against him in two cases. Purnendu informed that the court had granted him bail on both cases. That was when Lilima Mondol showed the police the bail

³ Auxiliary force of the law enforcement agency.

⁴ The Speedy Trial Act 2002.

documents issued by the Court, which were G.R. 92/08 and G.R. 130/09. This resulted in an infuriated reaction from SI Azad who began to verbally abuse and hit Bulu. Purnendu assured SI Azad that he would bring Bulu to the police station in the morning. SI Azad told Bulu to get dressed. When Bulu also expressed his intent to go to the police station in the morning, SI Azad and other police officers and the criminals who accompanied the police, began to beat up Bulu and wanted to tie him up with rope. This caused him to bleed along his cheeks. When Bulu came out to the rear verandah after wearing his clothes, police officers and criminals who were waiting there for him began to beat him up and dragged him to another place. Three police constables restricted the movement of Purnendu's wife Runu Mondol, Lilima and Reba Mondol, the wife of Nirmelendu. When Bulu was being beaten near their house, they tried to rescue him. Bulu was shouting out, 'Save me ... save me!' Bulu's cries stopped after about 10-15 minutes. Later on a few police officers took Purnendu, Lilima and Reba to the house of their neighbour Nirodh Bisshash. There they saw Bulu lying face-down on the western end of Nirodh's front lawn. Prokash Bisshash and Proshanto Bisshash, the two sons of Nirodh Bisshash, were holding Bulu's head in their laps. Prokash and Proshanto told Purnendu that they had come out of their house hearing Bulu's cries and saw by the light of the street lamp, several persons, whom they were not able to identify, make their escape. They also heard SI Azad tell his police officers, 'The accused is faking a fit ... kick him twice on his backside ... that should make him come around and make a run for it'. One of the police officers then kicked Bulu a couple of times. Bulu however did not respond. Purnendu took Bulu's head onto his lap and with the help of a torch and the brightness of the street light saw blood dripping from Bulu's mouth. There were signs of strangling on Bulu's throat while his scrotum was swollen. Bulu's eyes were devoid of life and there were signs of injury in various parts of his body. When Purnendu's family members began to cry out in grief, SI Azad said, 'If you make a big deal out of this, I'll kill you all'. SI Azad then left with the other police officers. Purnendu then took Bulu to the Khulna Medical College Hospital. The doctor there told him that Bulu had passed away. Afterwards Purnendu brought Bulu's body home. In the morning, Additional Superintendent of Police (Additional SP) of Khulna, Humayun Kabir, came to Purnendu's house. Later on a police officer prepared the Inquest Report of Bulu's body and sent it to the Khulna Medical College Hospital for the post mortem. Purnendu stated that the police officer did not include information on the signs of beatings on Bulu's body in the Inquest Report. When he protested against this, the police officer threatened Purnendu and his family members again. Bulu's body was cremated on September 19, 2009. Later on it came to Purnendu's knowledge that the Officer-in-Charge (OC⁵) of the Rupsha Police Station, Shubhash Bisshash and another police officer, with a view to influencing the postmortem report, had a closed door discussion with the doctors who performed the postmortem of Bulu. When Purnendu went to the police station to file a case regarding Bulu's murder and also to ensure the security of his family on September 21, 2009, the Officer-in-Charge refused to take in the case and threatened him saying that consequences would be dire if Purnendu pushed the issue any further. Purnendu's written complaint, which he took to the police station on October 3, 2009, was also rejected. Afterwards on October 5, 2009, Purnendu filed a murder case at the Court of the Chief Judicial Magistrate, Khulna. SI Azad Rahman along with 7-8 other police officers and 8-9 other unidentified persons were accused in that case.

Dipankar Bisshash Dablu (34), Neighbour of Bulu

Dipankar Bisshash Dablu told Odhikar that at 1.00 am on September 18, 2009, when he came out from his house, he saw 5-6 police officers and 7-8 other men in plain clothes. Bulu cried out from the front lawn of Nirodh Bisshash's house saying, 'Dada, please save me'! Upon hearing this, the police left the scene. Dablu demanded that a fair investigation be carried out with respect to the incident and that justice be ensured.

⁵ Officer-in-Charge (OC) holds the rank of an Inspector and is the head of a police station in Bangladesh.

Proshanto Bisshash (24), Eye-witness on whose front lawn Bulu's body was found

Proshanto Bisshash told Odhikar that at 1.00 am on September 18, 2009, 10-12 men began pointing their lighted torches towards his house. Bulu who was out on his front lawn cried out, 'Save me'. Hearing the scream, Proshanto came out of his house to see 5-6 plain clothed men escape through the garden with their torches turned on. Three or four police officers made their way to Bulu's house. Proshanto saw Bulu's body lying on the ground. Several minutes later, the police brought Bulu's wife and younger brother to the front lawn. Proshanto believed that the boot prints of the police in the mud and the broken branches of a Kocha plant in Bulu's back yard indicated that Bulu was probably beaten with them.

SI Sheikh Ali Akbar, the person who prepared the Inquest Report, Rupsha Police Station, Khulna

SI Sheikh Ali Akbar told Odhikar that he prepared the Inquest Report of Bulu on the morning of September 18, 2009, in the presence of Rahat Anwar, the Upazila Nirbahi Officer (UNO)⁶. He went on to say that Bulu was granted bail by the Court because he was a heart patient. At 1.00 am on September 18, 2009 when the police arrived to arrest Bulu they chose not to do so seeing that he was ill. He went on to say that Bulu passed away due to illness. As for the injuries on his legs, SI Akbar assumed that he probably got injured while he was trying to make his escape. SI Akbar also admitted receiving the postmortem report of Bulu. He stated further that the doctor who performed the postmortem of Bulu's body sent a part of the body to the laboratory in Dhaka to get the Viscera Report which would conclusively provide the reason behind Bulu's death.

SI Azad Rahman, Rupsha Police Station, Khulna, team-leader of raid

SI Azad told Odhikar that he possessed two arrest warrants against Bulu. In the early morning of September 18, 2009, SI Azad went to Bulu's house with his force to arrest him. When he called out Bulu's name from outside his house at around 1:00 am, Bulu came out with a bare torso. He told Bulu to go back inside and get dressed. Bulu gave the impression that he was going inside to wear clothes, but in fact he escaped through the back door. SI Azad stated that Bulu was not verbally or physically abused in any way. Nothing was said to Bulu's family either. When the SI was asked by Odhikar as to how Bulu could have crossed the water and mud behind his house to end up dead on the front lawn of his neighbour's house, he avoided answering the question. He insisted that Bulu had been ill from before and that he had died of a stroke. SI Azad also claimed that there were no other people accompanying the police. When asked about the bail Bulu was given, he stated that the document confirming the bail order had not reached the police station and thus he was not aware of it.

Shubhash Chandra Bisshash, Officer-in-Charge (OC), Rupsha Police Station, Khulna

Shubhash Chandra Bisshash told Odhikar that he was on leave on September 17 and 18, 2009. He had heard of the fact that a force led by Sub-inspector Azad accompanied by an ASI⁷ and 6 constables had gone to arrest Bulu on the night of September 17, 2009 because there were arrest warrants against him. At 1:00 am on September 18, 2009 when Bulu realised that the police had arrived, he tried to escape through the back door. In the process he suffered from a heart attack which led to his death. A General Diary was filed on September 18, 2009 after Bulu's death, which was numbered 622. Shubhash strongly denied allegations made in the murder case filed by Bulu's family and stated that such allegations were lies and were baseless and bore ill intent. He also insisted that Bulu had not been tortured by any of the police officers.

⁶ Upazila Nirbahi Officer (UNO): Head of the civil administration of an upazila – an administrative unit under a district. A UNO is a magistrate.

⁷ ASI: Assistant Sub-inspector.

Md. Shamsuddin Miah, Superintendent of Police (SP⁸), Khulna

Md. Shamsuddin Miah told Odhikar that Bulu was a heart patient. Showing the documents confirming his heart condition to the Court, Bulu was recently granted bail. The SP said that the police went to arrest Bulu under two cases in which Bulu had already gotten bail. The police were unaware of this because the copy of the bail documents had not arrived at the Police Station. Miah went on to say that he had heard that Bulu died of a heart attack while trying to escape, admitting however that this could be confirmed only via the postmortem report.

Doctor S. M. Delwar Hossain, Medical Officer, Khulna Medical College Hospital, Khulna, who performed the postmortem of Bulu's body

Doctor S. M. Delwar Hossain told Odhikar that at 3.20 am on September 18, 2009, the police officers of the Rupsha Police Station brought a deceased man named Orbindo Mondol Bulu to the emergency ward. The postmortem was performed on the body which was registered as 103/1. Following the postmortem, Bulu's neighbour Sabitree Ghosh who was also a Senior Nurse at the Hospital took the body to Bulu's home.

Doctor Horidas Bisshash, Assistant Professor, Department of Forensic Medicine, Khulna Medical College Hospital

Doctor Horidas Bisshash told Odhikar that there were no injuries on Bulu's body apart from those on his chin. The Doctor stated that there was confusion regarding the report of the postmortem and the report was unfinished and kept on hold and evidence was sent to Dhaka for the Viscera Report which would indicate the correct cause of Bulu's death.

Odhikar urges the government to carry out a proper investigation into the death of Orbindo Mondol Bulu and that any perpetrator be punished according to the law.

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⁸ Superintendent of Police (SP) is the head of the police administration of a district.