

Mamun from Meherpur District Allegedly Shot to Death Under the Cover of 'Shoot-out' by Police at Doulatpur in Kushtia District

Fact-finding Report
Odhikar

Mohammad Mamun-Ar-Rashid (37), a resident of the village of Akubpur under the Gangni upazila¹ in Meherpur district, was allegedly shot to death by police at Khalishakundi under the Doulatpur upazila in Kushtia district. Family members of the victim and witnesses claimed that a team of police from Kushtia arrested Rashid at Akubpur at around 4pm on November 4, 2009 and he was shot dead while in police custody. However, police denied arresting Mamun on November 4, 2009 and also his being shot dead while in police custody. The police also claimed that Rashid was shot and killed during a shoot-out between police and miscreants.

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

- Family members of Mohammad Mamun-Ar-Rashid
- Witnesses to the arrest of Rashid
- Several people residing near the place where police claimed the incident of 'shoot-out' occurred
- The concerned police officers



Photo: the body of Mohammad Mamun-Ar-Rashid

Afsara Akter Lovely, wife of Mohammad Mamun-Ar-Rashid

Afsara Akter Lovely told Odhikar that her husband was involved in production of sanitation ware and also in social forestry. She said that they had two daughters named Tasmia Tahsin Suhi (11) and Sidratul Muntahar Chhoa (6). Lovely claimed that Rashid had no allegiance to any sort of underground politics and alleged that police, with the excuse of a 'shoot-out', shot him to death in a planned manner. She demanded justice through proper investigation.

¹ Upazila: An administrative unit under a district. Upazila is also a tier of local government in Bangladesh.

Mohammad Rezaul Karim, Akubpur, Gangni, Meherpur. Father of Rashid

Mohammad Rezaul Karim told Odhikar that at around 4pm on November 4, 2009, he heard from others that several armed persons had taken Rashid away from a place near the Khalishakundi Bridge that was adjacent to Rashid's sanitation ware factory, Lovely Sanitary. He said that he immediately rushed to the place and then to the Khalishakundi Bazaar opposite the Bridge, where he learnt from various people that a group of 5 or 6 armed persons, including ASP² Mohammad Alamgir Hossain – the police officer attached with the Headquarters of the police of Kushtia district and Mizanur Rahman – the OC³ of the Detective Branch of police (DB police) of Kushtia, had taken Rashid away in handcuffs towards Kushtia in a white microbus. Rashid's father said that at around 10am on November 5, 2009, he, accompanied by his son Masud Karim and cousin Moniruzzaman Atu, met ASP Mohammad Alamgir Hossain to enquire about Rashid's arrest. He continued by saying that ASP Hossain asked him to talk to OC Mizanur Rahman from the Detective Branch about the matter. He said that when they met OC Rahman, he told them that Rashid was not accused in any case and that he was arrested as a suspected criminal. Rashid's father said that OC Rahman demanded Taka 50,000.00 from him on the understanding that Rashid would be produced before the court under section 54⁴ of the Code of Criminal Procedure on November 6, 2009. When he expressed his inability to pay such a large amount of money, the OC asked him meet him again the following day.

Rezaul Karim said that when Masud Karim, Moniruzzaman Atu and he met OC Rahman again on November 6, 2009, the OC told them that after ASP Hossain returned from Dhaka, he would consult him about producing Rashid before the court. OC Rahman asked them to meet him later.

He said that from the following day till November 14, his son Masud met the OC several times and during every meeting, the OC assured him that Rashid would be produced before the court. He alleged that even while OC Rahman assured them with transfer of Rashid to the court, he forbade them to inform 'high-ups' in the police of the matter and threatened that if they approached any senior police officers regarding the matter, Mamun would be named in a case with serious allegations. That is why they dared not to disclose the matter or register any complaint with any police station, he said. He went on to say that at around 4am on November 15, 2009, he heard that Rashid had been killed during an alleged 'shoot-out' with police.

Rezaul Karim informed Odhikar that Shafiul Islam, the BNP leader of Hogolbaria of Gangni and a political rival of Rashid, was an acquaintance of Hasan Hafizur Rahman, the OC of the Doulatpur Police Station of Kushtia, when he had previously been posted at the Gangni Police Station of Meherpur. He believed that Islam had abetted the police in the killing of Rashid. He demanded that those who were involved in the incident be tried.

Mohammad Masud Karim (30), Akubpur, Gangni, Meherpur. Brother of Rashid

Mohammad Masud Karim said that when his father Rezaul Karim, uncle Atu and he met ASP Hossain on November 5, 2009, the ASP asked them to meet OC Rahman. He said that during their first meeting, the OC assured them that he would make

² ASP: Assistant Superintendent of Police.

³ Officer-in-Charge.

⁴ Section 54 of the Code of Criminal Procedure 1898 allows police to arrest without warrant.

arrangements to produce Rashid before the court after a consultation with ASP Hossain. When Masud met OC Hossain again in the evening as Rashid was not sent to the court that day, he told Masud that Rashid would be sent to court the following day on November 6. However, he was not sent to court on November 6, 2009.

Masud said that he met OC Hossain several times and every time he met Hossain, he assured him that there was no case filed against Rashid and that he would be sent to court after filing a case against him with minor allegations. He said that the OC forbade him from informing his superiors of the matter and also threatened that if Masud informed them, it would force him file a case with serious allegations against Rashid. He alleged that OC Hossain demanded Taka 50,000.00 as a bribe from him for Rashid to be accused in a case with minor allegations and to be sent to the court. Masud said that he gave OC Hossain Taka 30,000.00 and there was a verbal agreement between the OC and him that he would pay the rest of the money after Rashid was sent to the court. Masud informed Odhikar that he was not allowed to meet Rashid or be informed of his whereabouts. He said that when he last met OC Hossain on November 14, the OC told him that Rashid would be produced before the court in the morning the following day. However, at around 4am on November 15, 2009, he came to know that police, under the excuse of a 'shoot-out', had shot and killed Rashid in the mango orchard of late Rab Faqir, known as Rab Faqirer Aambagaan, next to Panchpeer Darbar Sharif near the Khalishakundi Bazaar.

Masud went to the mango orchard and saw Rashid's body lying there with a large number of policemen deployed around and 3-4 police pick-ups standing on the Kushtia-Meherpur road next to the orchard. He recalled that Rashid received two bullets on the right and left sides of his chest while another bullet hit him in the throat. He said that no blood was seen to have been oozing from the bullet wounds which made him believe that Rashid had been killed somewhere else and the body was brought to the orchard and several blank shots were fired to make people believe that there had been a 'shoot-out'.

Moniruzzaman Atu (50), Akubpur, Gangni, Meherpur. Rashid's uncle and an witness to the arrest of Rashid

Moniruzzaman Atu said that at around 4pm on November 4, 2009, when he reached the Khalishakundi Bridge on his way home on a motorbike, a white microbus overtook him, heading towards Gangni. He said that after crossing the bridge, the microbus ran past Rashid, who was walking towards the Khalishakundi Bazaar, and then stopped behind Rashid. He claimed to have witnessed 5 or 6 armed persons coming out of the vehicle and leaving again in the vehicle, heading towards Kushtia, taking Rashid away with them in handcuffs. The men handcuffing Rashid gave him the impression that they were members of any law enforcement agency. Atu said that he heard many of the people, who gathered there immediately after the incident, say that ASP Alamgir Hossain from Kushtia police and OC Mizanur Rahman from the Detective Branch of police of Kushtia were among those who had taken away Rashid.

Moniruzzaman Atu said that he did not know ASP Hossain and OC Rahman. However, when he met them along with Rashid's father and brother, he became confirmed that they were among those he witnessed taking Rashid away in a microbus on November 4, 2009.

Nurul Haque (60), Akubpur, Gangni, Meherpur. Witness to the arrest.

During a conversation with Odhikar, Nurul Haque said that when he was close to the Khalishakundi Bridge on his way to the Khalishakundi Bazaar at around 4pm on November 4, 2009, he saw Rashid walk along the Kushtia-Meherpur road in Akubpur near the Khalishakundi Bridge. He said that when he asked Rashid what he was doing, Rashid told him that he was looking after the trees of a social forest beside the road. The witness said that suddenly a white microbus from the direction of Kushtia and passed Rashid and him. The microbus stopped behind him and 5 or 6 persons holding arms came out of the vehicle, Haque said while describing the arrest, adding that the men grabbed hold of Rashid's hands and collar. He continued by saying that as people began to gather there, they took Rashid away in handcuffs in the microbus and drove towards Kushtia.

Nurul Haque said that on hearing the news of Rashid being killed in a 'shoot-out' in the early morning of November 15, 2009, he saw Rashid's body lying in the mango orchard next to Panchpeer Darbar Sharif. He informed Odhikar that he witnessed three bullets in his body, adding that no blood was oozing from the bullet wounds and the soil around the body was not found stained with blood either.

Abu Bakar Siddique Abu (36), Akubpur, Gangni, Meherpur. Witness to the arrest

Abu Bakar Siddique Abu told Odhikar that he was returning home on a rickshaw-van⁵ from the Khalishakundi Bazaar at around 4pm November 4, 2009. He said that when they went a short distance after crossing the Khalishakundi Bridge, a white microbus overtook him. He said that he saw Rashid walk along the Kushtia-Meherpur road at the time. The witness stated that the microbus stopped near Rashid's sanitation industry – Lovely Sanitary after it ran past Rashid. He said that 4 or 5 persons came out of the vehicle and surrounded him while 2 or 3 other persons were inside the vehicle. When Rashid asked them for their identity, they introduced themselves as members of the Detective Branch of police and took Rashid into the vehicle in handcuffs and left, heading towards Kushtia, Abu said while describing the arrest. He continued by saying that he heard many of those who gathered there say that the men who had taken Rashid away were led by ASP Alamgir Hossain from the police of Kushtia.

Mohammad Shamsul Haque (58), Khalishakundi, Doulatpur, Kushtia; a resident near the place of the alleged incident of 'shoot-out'

Mohammad Shamsul Haque recalled that at around 3pm on November 15, 2009, he heard 4 gunshots that were followed by 5-7 successive gunshots 2-3 minutes later. He said that 10-15 minutes after the gunfire stopped, the police came and asked local residents to accompany them to Rab Faqirer Aambagaan next to Panchpeer Darbar Sharif where the police showed the locals the body of Rashid and informed that he had been killed in a 'shoot-out' between the police and miscreants. He recalled that he saw three bullet wounds in Rashid's body. The witness added that the police later took the body away. However, they returned with the body again around half an hour later and took snapshots of the body placed in the orchard.

Abdur Roshid (45), Khalishakundi, Doulatpur, Kushtia; a resident living near the place of alleged shoot-out

Abdur Roshid said that in the early morning of November 15, 2009, he woke up on hearing gunshots. He recalled that he heard around 7-8 gunshots in total. He learnt

⁵ A three-wheeled vehicle with pedals, used either for carrying passengers or goods.

from others in the morning that Rashid had been killed in a 'shoot-out' with the police. He went to Rab Faqirer Aambagaan to see the bullet-ridden body of Rashid.

Hasan Hafizur Rahman, the OC, Doulatpur Police Station, Kushtia

OC Hasan Hafizur Rahman told Odhikar that a joint team of Doulatpur Police Station and Detective Branch of police of Kushtia conducted an operation on hearing the news that a group of 'extremists' from the Purba Banglar Communist Party [ML-Janajuddha] were holding a secret meeting. He said that, sensing the presence of the police, the 'extremists' opened fire on them, forcing them to retaliate. The OC of Doulatpur Police Station stated that at one point of the 'shoot-out', Rashid's associates fled though Rashid himself was shot dead on the spot. He also informed that during the shoot-out, police fired 40 rounds of bullets while the 'extremists' fired more than 100 rounds.

When Odhikar raised questions regarding the fact that only one person, Rashid, was killed in the 'shoot-out' and nobody else from the 'extremist' group was hurt or arrested or nobody from the police was injured in any way, the OC claimed the incident to have been 'coincidental'.

OC Hasan Hafizur Rahman informed that Rashid had been accused in four cases with various allegations, filed with the Gangni Police Station in Meherpur and two cases for murder, filed with the Doulatpur Police Station.

Mizanur Rahman, the OC, Detective Branch of police, Kushtia

OC Mizanur Rahman denied arresting Rashid and his meetings with members of Rashid's family following the arrest. He, however, claimed that Rashid was a 'horrible' miscreant. He claimed to have no knowledge of the incident of Rashid being killed in 'shoot-out' on November 15, 2009.

Mohammad Alamgir Hossain, ASP (Headquarters), Kushtia

ASP Alamgir Hossain denied all the allegations made by Rashid's family and statements regarding Rashid's arrest, made by eyewitnesses. He asserted that Rashid had been killed in a 'shoot-out' between the police and the 'extremists'.

According to witnesses, Mohammad Mamun-Ar-Rashid was taken towards Kushtia after arrest. One of the witnesses later recognised ASP Alamgir Hossain from Kushtia police and OC Mizanur Rahman from the Detective Branch of police of Kushtia, among those who had taken Rashid away, though the police completely denied arresting Rashid. The police claimed that they fired 40 rounds of bullets while the 'extremists' fired 100. However, local residents recalled not to have heard more than 11 gunshots. Based on these crucial findings, Odhikar urges that a thorough, judicial investigation be carried out into the incident. Odhikar also demands that any perpetrator be punished according to the law.

Follow-up

January 17, 2010:

Advocate Akteruzzaman, the counsel for Rashid's family

During a conversation with Odhikar on January 17, 2010, Advocate Akteruzzaman informed that a case had been filed at the Court of Judicial Magistrate for Kushtia Sadar on November 23, 2009 for the murder of Mohammad Mamun-Ar- Rashid. The case was filed under sections 302/34 of the Penal Code and was numbered: Doulatpur [Miscellaneous] Case 153/2009. Akteruzzaman informed that ASP Alamgir Hossain; OC Mizanur Rahman; Hasan Hafizur Rahman, the OC of Doulatpur Police Station; SI⁶ Abdul Mannan Mondol from Doulatpur Police Station and a Shafiuil Islam from Hogolbaria of Gangni were named as the accused in the case.

Advocate Akteruzzaman said that after the court issued an order for judicial enquiry into the case, the police submitted a petition for a Criminal Revision on December 12, 2009. The petition the police submitted was numbered 101/2009. He informed that as a result of the submission of the petition, the order for judicial enquiry had been stayed and the hearing of the petition for revision had been scheduled for February 9, 2010.

January 18, 2010:

Mohammad Masud Karim , brother of Rashid

While talking to Odhikar on January 18, 2010, Mahammad Masud Karim informed that Rashid's daughters had been traumatised by the unnatural death of Rashid. He said that Rashid's younger daughter Sidratul Muntahar Chhoa often had nightmare and sobbed. Rashid's elder daughter Tasmia Tahsin Suhi always seemed to be depressed following the incident.

-The End of Report-

⁶ SI: Sub-inspector.