



## **Alleged torture of Jubodal leader while in custody at the Sreenagar Police Station of Munshiganj**

### **Fact Finding Report Odhikar**

On April 28, 2009, Ziaul Huq (33), President of the Jubodal<sup>1</sup> of Tantor Unit of Sreenagar, Munshiganj was arrested from Shingpara Bazaar by the police of the Sreenagar Police Station. The victim Ziaul has alleged that at 9.00 am on April 29, 2009, he was taken to the office of a police officer where he was tortured.

Odhikar engaged in a fact finding of the incident. During the fact finding, Odhikar spoke with,

- Ziaul Huq, the tortured victim
- Eye-witnesses
- Police officers from the concerned police station.

#### **Ziaul Huq (33), torture victim**

Ziaul Huq told Odhikar that he was professionally involved in the transport business. He was also the President of the Jubodal committee of Tantor Union under Sreenagar Upazila of Munshiganj. At 5.00 pm on April 28, 2009, Ziaul got a phone call from Sub-Inspector (SI) Ilias of the Sreenagar Police Station. Calling from 01712 521048, SI Ilias told Ziaul to come and meet him at the Shingpara Bazaar to verify a passport. At 5.30 pm, Ziaul met SI Ilias in front of Shamsul Islam's shop at the bazaar. SI Ilias showed him the passport of a person Ziaul did not know. Afterwards both of them sat at a shop where they had tea and sweets. Several minutes later, SI Hafizur accompanied by another police officer arrived at the scene to handcuff Ziaul. When Ziaul inquired as to the reason behind his arrest, SI Hafizur told him that a case had been filed against him. The SI also threatened Ziaul that he would be beaten if he inquired any further. At 6.00 pm, Ziaul was locked up in custody at the police station.

At 11.00 pm, Ziaul's family members sent him food through the police. Ziaul went on to say that on the following morning at 9.00 am, SI Hafizur took him out of custody and brought him to his office where he was blindfolded and his hands tied up. The SI then beat Ziaul with a cane on his back and legs leaving him grievously injured. Over the half hour SI Hafizur tortured Ziaul, the SI also told him to leave the country during Awami League's five year reign. If he refused to listen, SI Hafizur threatened to send him to jail under a fire arms or a criminal case. When Ziaul's blindfolds were opened, he saw Awami League backed local Chattra League<sup>2</sup> leaders like Kusum and several others wandering about the police station premises. SI Hafizur also took Taka 1000/- from

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<sup>1</sup> Jubodal: Youth wing of the Bangladesh Nationalist Party (BNP)

<sup>2</sup> Student wing of Awami League

Ziaul's mother Shahana Khatun to arrange for Ziaul's transport to the Court. The injured Ziaul was finally transferred to the Court on April 29, 2009 at 11.00am. Ziaul believed that his name was tagged in a case with the motive to politically harass him because he was involved in a land related feud with his neighbor Shahinur Islam. On May 31, 2009, Ziaul informed Odhikar that he was granted bail by the Court on May 8, 2009.

**Sofeda Khatun, Female Member of Ward No. 1, 2 and 3, Atpara Union Parishad and eye witness**

Sofeda Khatun told Odhikar that she went to the Sreenagar Police Station at 7.00 am on April 28, 2009 after hearing about Ziaul's arrest. She urged SI Hafizur to set Ziaul free. In response the SI told her that Ziaul would be transferred to the Court. This was why Sofeda ended up waiting outside the police station premises. At 9.00 am, she went inside the station to meet Ziaul who was supposed to be in custody. Not finding him there Sofeda went into SI Hafizur's office to see him beating the blindfolded Ziaul. She protested against the torture and instead Ziaul be sent to the Court. SI Hafizur responded by saying that he intended to fulfill Ziaul's desire to be a leader, of which he had taken full advantage of during the previous BNP regime. After beating him some more, SI Hafizur took off Ziaul's blindfolds and untied his hands. Ziaul was finally sent to the Court at 11.00 am. Sofeda urged the Government to investigate the event of Ziaul's custodial torture and bring to justice those responsible.

**Md. Shahinur Islam, Father: Nasir Uddin, Plaintiff of the case**

Md. Shahinur Islam told Odhikar that his and Ziaul's houses were adjacent to each other. Ziaul and Shahinur had been quarreling with each other over an adjacent piece of land spanning over 1.22 acres. On April 5, 2009 Shahinur was working on that land. At 3.30 pm that day Ziaul Huq arrived with his brothers Manik Mia and Jibon Mia and 10-12 others with canes, iron rods and oars. They threatened Shahinur to stop working on that land and to leave immediately. When he refused to comply, Ziaul and his gang physically assaulted him. This prompted Shahinur to file a case against three persons at the Sreenagar Police Station on April 27, 2009. He came to know later on that Ziaul was arrested in connection to that case.

**SI Hafizur, Investigation Officer of the case, Sreenagar Police Station, Munshiganj**

SI Hafizur told Odhikar that Shahinur Islam filed a case against Ziaul Huq under Sections 143/447/323/324/307/379 of the Penal Code, 1860. The case was numbered 22 and dated 27/04/2009. After the filing of the case, Ziaul was arrested from the Shingpara Bazaar on April 28, 2009. SI Hafizur claimed that Ziaul was not tortured following his arrest. He was sent to the Court the following day on April 29, 2009.

**Shakhawat Hossain, Officer-in-Charge, Sreenagar Police Station, Munshiganj**

Officer-in-Charge of Sreenagar Police Station Shakhawat Hossain told Odhikar that Ziaul had been arrested under a case that involved a fight. He denied the allegation that Ziaul had been tortured.

**Follow-up**

Ziaul Huq told Odhikar that he was granted bail on 7/5/2009 after spending 9 days in jail. He currently has to appear in Court regularly for hearings. Ziaul has done so seven times already. His next hearing is on 29/12/2009. After getting bail, Ziaul had gone to the Police Station to file a harassment case in protest against the torture he had to suffer. However, the Second Officer SI Hafizur threatened him and refused to accept Ziaul's case. Ziaul also informed Odhikar that Ward Member and Union Jubo League President Md. Dulal Hossain has taken possession of a piece of land of his and has started agricultural activities on it. Furthermore, SI Hafizur, the Investigation Officer of the case originally filed against Ziaul has filed the Charge Sheet against him.