



Leader of the landless, S M Saifullah Lashkar allegedly killed by the police at Satkhira

**Fact Finding Report
Odhikar**

On December 5, 2009, it has been alleged by the family members of the deceased that S M Saifullah Lashkar (65), resident of the village of Lashkarpara of Satkhira was murdered in a pre-planned manner by the Town Sub-Inspector (TSI) Md. Nazrul Islam of the Katiya Police Line and Shamsul Alam Sarkar, the Assistant Police Super (ASP) of the Sadar B-Circle who were accompanied by a group of criminals.

On the basis of the allegation made by the family members, Odhikar engaged in a fact finding of the incident. During the fact finding, Odhikar spoke with,

- Relatives of the late Saifullah Lashkar
- Eye-witness
- Doctor who performed the Post Mortem, and
- Members of the law enforcement agencies



S M Saifullah Lashkar

Suraiya Akhtar (43). Wife of Saifullah Lashkar

Suraiya Akhtar told Odhikar that her husband was a farmer by profession. He was also an adviser of the 'ssociation for the landless' at Satkhira. Saifullah had always fought for the rights of the landless. On the night of December 5, 2009, Suraiya was asleep with her husband at their home. At 3.00 am, Saifullah received a phone call from a nephew, Junayet Hossain Bairon (39), who informed him that the police were on the lookout for Saifullah. Lashkar told Suraiya his apprehension that the police

had perhaps arrived in the dead of the night to arrest him. Suraiya handed a black t-shirt to her husband and as he was dressing, the sound of a motorcycle could be heard from outside. Lashkar escaped through the back door of their house and fled by crossing over the backyard wall. Suraiya's son Md. Zakaria was asleep in the room next to hers. Five minutes later Suraiya heard the sound of three motorcycles. From those sounds, Suraiya could make out that the motorcycles had arrived from the west and had parked at the southern and northern side of her house. The motorcycles were making loud noises. One of the men was shouting, 'Is anybody home ... is anybody home ...? Is Saifullah Lashkar at home?' Suraiya opened the door of her house and saw over the gate two men in police uniform sitting on a motorcycle. She then opened the gate of her house. The police officers left their motorcycles and entered the house with Suraiya. One of them introduced himself as the TSI of the Katiya Police Line. One of the men stood at the door holding a baton. TSI Nazrul persistently asked for the whereabouts of Lashkar. When Suraiya told him that her husband was not at home, he told her to give Lashkar a call on his mobile phone. Suraiya called her son Zakaria from the next room who then gave Nazrul his father's mobile number. Zakaria and TSI Nazrul called Lashkar four to five times but the call was not received. Nazrul informed Suraiya that ASP Shamsul Alam wanted to see Lashkar at 11.00 am the following morning. According to Suraiya, TSI Nazrul tried to buy time by asking her irrelevant questions. After about 30 minutes, Nazrul told her, 'I'm sorry to have bothered you at such a late hour'. Saying this, he left with the other police officers.

Suraiya told Odhikar that at 7.00 am, Namita Das (40) the maid of her neighbour Ali Akbar Lashkar, came to her gate and called, 'Uncle Lashkar ... uncle Lashkar'. Namita stated that she had seen a dead body lying on the hay stack kept inside Akbar's store room. Namita told Suraiya to summon her husband so that he would bring over the village Member who could identify the body. Suraiya told Namita that Lashkar was not at home and that she would send him to identify the body upon his return. Namita left but soon returned in tears to inform Suraiya that the dead person was in fact Saifullah Lashkar. Suraiya immediately ran to the store room of Ali Akbar to see her husband's body lying face downwards. She saw wounds and blood clots on Lashkar's forehead. There was a pond beside the store room. Suraiya recalled seeing countless boot prints along the bank of the pond, along with the broken frond

of a palm tree. It seemed to her that several people had probably sat on the palm frond. Lashkar's body was buried towards the evening after the completion of the Post Mortem. Suraiya claimed that even though there was not a single case filed against Saifullah Lashkar. The police had always harassed him. The land-grabbers were always in the habit of taking possession of Government land. Her husband on the other hand would always assist the landless in getting land. Suraiya believed that the land-grabbers had paid the police to kill her husband. She felt that TSI Nazrul and ASP Shamsul Alam were behind the killing and demanded justice from the Government.

Namita Das (40), domestic help from the home of Ali Akbar Lashkar

At 6.00 am on December 5, 2009, Namita Das went to Ali Akbar's store room to do some household chores. Seeing a man lying dead face downwards on the hay stack inside the store room, Namita thought that the body probably belonged to a mad man. That was when she went to Saifullah Lashkar's house to call him. She informed Lashkar's wife Suraiya that a mad man was lying dead inside the store room. Suraiya said that she would send her husband over when he got home. Namita informed her whole village of the incident. When she came back to the store room, Namita saw her neighbour Abdul Wahab speaking with a police officer of the Katiya Police Line over the mobile phone. When others arrived and turned the body over, Namita realised that the body was of Saifullah Lashkar's. Namita scraped off the mud that was on top of Lashkar's feet. It seemed to her that Lashkar had been dragged into the store room. She saw numerous boot prints along the bank of the pond. She also saw a broken palm frond in the mud.

Abdul Wahed (62), neighbour of the deceased

Abdul Wahed told Odhikar that at 3.00 am on December 5, 2009, he was awakened from sleep by the sound of several motorcycles. Coming out of his house, Wahed saw two police officers on one of the motorcycles. When asked, he showed them the house of Saifullah Lashkar. At 5.00 am after his Fazr prayers, Wahed was on his way home from the mosque. The store room belonging to Ali Akbar Lashkar was near his house. Wahed saw an acquaintance of his searching for something inside the store room. When he asked the man what he was looking for, the man told him that he was searching for a mobile phone. Wahed saw someone lying face

downwards inside the store room. There was a mobile phone inside the knot of the man's *lungi*. The mobile phone began to ring and Wahed received the call. When he asked for the identity of the caller, the person calling said, 'I am TSI Nazrul of the Katiya Police Line'. Nazrul then asked to speak with Saifullah Lashkar of Katiya. As Wahed spoke with TSI Nazrul he turned over the body to the dead Lashkar. He then informed TSI Nazrul that Lashkar had passed away who after hearing the news disconnected the line. 10 minutes later, TSI Nazrul arrived on a motorcycle with Constable Shahjalal and wanted to see Lashkar's dead body. Nazrul fled the scene when the local residents present accused him of killing Lashkar, as they knew about Nazrul's arrival during the previous night. Wahed believed that Nazrul had come to see Lashkar's body after having killed him earlier. He demanded justice for Lashkar's death.

Constable Shahjalal, Katiya Police Line, Satkhira

Constable Shahjalal told Odhikar that at 11.00 pm on December 4, 2009, he rode a motorcycle as TSI Nazrul's bodyguard. ASP Shamsul Alam Sarkar contacted TSI Nazrul on his wireless and told him to receive his call on the cell phone. After speaking with ASP Sarkar on the cell phone, Nazrul told Constable Shahjalal that they needed to go the house of Saifullah Lashkar. After doing his rounds in the areas of Bompota, Post Office bend, Manzidpur, Bismillah's house, Janata Bank, the Custom's Office area, the TNT Office area, Manzidpur Talighor, Rajar Bagan College, Sarkarpara, Dohopukur and the Club, Nazrul rode his motorcycle to the house of Saifullah Lashkar taking Constable Shahjalal with him. They reached Lashkarpara at Katiya at 3.00 am on December 5, 2009. As they looked for Saifullah Lashkar, they accidentally entered the house of Shahadat Lashkar. When Nazrul asked the guard at the gate whether the house belonged to Saifullah Lashkar, the guard went inside and informed Shahadat Lashkar's son Junayet Hossain Bairon about the arrival of the police. Soon after, the guard returned and pointed out Saifullah Lashkar's house to Nazrul. Nazrul then rode his motorcycle to Saifullah Lashkar's house and upon his arrival began to press the horn of his motorcycle to draw attention. A woman came out of the house after a couple of minutes and Nazrul asked her if Saifullah Lashkar was home. She stated that Lashkar was not at home but his son Zakaria was. She asked Nazrul and Constable Shahjalal to enter the house. Nazrul took Lashkar's cell phone number from Zakaria, and made several

calls to Lashkar on that number but to no avail. Before leaving he told Zakaria to call Lashkar and inform him that ASP Shamsul Alam Sarkar had invited him for a cup of tea at his office the following morning at 11.00 am and that Lashkar should make it a point to come. Nazrul and Shahjalal returned to the Katiya Police Line. They both fell asleep at the Police Line. At 7.00 am the TSI informed him that Saifullah Lashkar had died. Nazrul then went to Saifullah Lashkar's house again on his motorcycle. They saw Lashkar's body lying inside the store room of Ali Akbar Lashkar. At round 5.00 pm that day, Shahjalal heard from others that Lashkar had been killed the night before by land-grabbers who were also assisted by the police. Shahjalal went on to say that he had merely performed his duty by going to Lashkar's house at 3.00 am to convey the message from ASP Sarkar.

Habildar Md. Asaduzzaman, IC (Camp In-Charge), Katiya Police Line, Satkhira

Habildar Md. Asaduzzaman told Odhikar that he was at the Police Line on the night of December 4, 2009. TSI Nazrul was entailed with the overall responsibility of the Line. Nazrul left for duty at 11.00 pm that night. Along with him was Constable Shahjalal. Asaduzzaman did not know that Nazrul had gone to Lashkar's house at 3.00 am to pass on a message from ASP Sarkar. At 7.00 am on December 5, 2009, news arrived from the police station that Saifullah Lashkar, the man whose house Nazrul had gone to at 3.00 am the night before, had passed away. The residents of the locality began to say that Nazrul and ASP Shamsul Alam had conspired together and killed Lashkar. He thought that conveying a message from the ASP at 3.00 am at night was inappropriate but Nazrul was obviously over-eager about following his superior's orders.

SI Abdus Sabur, Operations Officer, Satkhira Police Station, Satkhira

SI Abdus Sabur told Odhikar that at 7.00 am on December 5, 2009, he learned from a message sent by TSI Nazrul that Saifullah Lashkar of Lashkarpara at Katiya had died. Informing his senior officers of the incident, SI Sabur left for the scene. He had prepared the inquest report of the body. There were wounds on Lashkar's forehead and knees. Lashkar's lungi was wet with urine. After the preparation of the inquest report, the police took the body for Post Mortem. SI Sabur thought that Lashkar had probably tried to climb over the back yard wall of his house after hearing about the

police. While trying to do so he probably fell and hurt his head. Later on according to SI Sabur, Lashkar had most likely hidden inside Akbar's store room where he suffered from a heart attack and died. According to SI Sabur, Lashkar was one of the 'philosophical leaders' of the banned Purba Banglar Communist Party. A case had been filed against him for the forceful taking of possession of land at Norar Chok, Kaliganj. Another case had been filed for the burning of the house of Mozammel Huq, the Union Parishad Chairman of Chompaful, Kaliganj.

SI Sabur stated that according to the Post Mortem, Lashkar had been strangled to death. Chairman Mojammel Huq, land-grabber and Jubodal leader Nasim Faruq Khan Mithu and Abu Sayeed, an assistant of Bosir Ahmed had been arrested following Lashkar's death and had been taken into remand. SI Sabur alleged that two private organisations named Uttaran and Shushilon had been instigating the people of the locality to start a movement in protest of Lashkar's death. Lashkar's wife had filed a murder case following his death. The case was numbered 16 and dated 6/12/2009 and was filed under Sections 302/34 of the Penal Code, 1860. Inspector Md. Amir Hossain of the Criminal Investigation Department (CID) was entrusted with the investigation of the case.

Shahidul Islam, Assistant Coordinator, Uttaran, Satkhira Office, Satkhira

Shahidul Islam told Odhikar that the people of Satkhira could well blame the police for Lashkar's death. He denied the allegation of Uttaran or Shushilon or for that matter any other private organisation providing money to the people to instigate a movement. According to him, Uttaran was mainly involved in assisting the landless in getting *Khas* land owned by the Government.

Md. Amir Hossain, Inspector, CID, Satkhira Camp, Satkhira

Md. Amir Hossain told Odhikar that he was investigating case number 16 which involved the killing of Saifullah Lashkar. He refused to provide comments since the investigation was on going.

S M Maniruzzaman, Police Super, Satkhira

S M Maniruzzaman told Odhikar that ASP Shamsul Alam Sarkar told Nazrul to convey a message to Lashkar from him. TSI Nazrul was on duty from 11.00 pm on

December 4, 2009 to dawn of December 5, 2009. That was why Nazrul had gone to Lashkar's house to communicate ASP Sarkar's message to him. S M Maniruzzaman felt, however, that Nazrul's conveying of the message was not at all related to Lashkar's death. Nonetheless, Nazrul had been closed at the Police Line due to allegations made by the people. Furthermore, the concerned ASP had gone to Dhaka for training. A murder case had been filed because the Post Mortem stated that Lashkar had been strangled to death. The Police Super assured that the guilty persons would be brought to justice subject to investigation into the case.

[It is worth noting that when Odhikar tried to speak with TSI Nazrul, Abul Kalam the RI (Reserve Inspector) of the Police Line did not allow Odhikar to do so]

Doctor Modhushudan Mondol, Resident Medical Officer, Sadar Hospital, Satkhira

Doctor Modhushudan Mondol told Odhikar that the police officers of the Satkhira Police Station brought the body of his acquaintance Saifullah Lashkar to the hospital at 11.00 am on December 5, 2009 for the post mortem. A three member Medical Board was constituted with Medical Officer, Doctor A F M Rafiqul Hasan as the President and himself and Doctor Touhidur Rahman as Members. While performing the Post Mortem, Doctor Mondol saw the wounds on Lashkar's forehead and a urine drenched *lungi* in the inquest report. However, the Report did not state that there were also blood clots on Lashkar's knees and that there were marks of strangulation on his throat. Doctor Mondol called SI Abdus Sabur and told him to incorporate these into the Inquest Report. SI Sabur then added the information concerning the knees into the Inquest Report. According to Doctor Mondol, the post mortem had stated clearly that there were wounds on Lashkar's forehead. The skin there had split and had bled. Lashkar was wearing a long necked t-shirt. He was strangled in such a way over the t-shirt that the fingers marks could not be seen on Lashkar's throat. Lashkar's family members took away his body after the completion of the post mortem.

Akhtar Hossain, Office Assistant, Sadar Hospital, Satkhira

Akhtar Hossain informed Odhikar that at 11.00 am on December 5, 2009, he was brought to the hospital by the police of the Satkhira Police Station to conduct the

post mortem of his acquaintance Saifullah Lashkar. The Resident Medical Officer formed a three member Medical Board to carry out the post mortem. An unnatural death case had been filed at the Satkhira Police Station which was numbered 92/2009 and dated 5/12/2009. The Post Mortem registration number was 240.

Morgue-Assistant, Sadar Hospital, Satkhira

On the condition that his name would not be disclosed, a person who was involved in the cutting of Lashkar's body stated that there were wounds on Lashkar's forehead. There were also blood clots on his knees and marks of strangulation on his throat. He refused to make any further statements.

Md. Abdul Salek (38), the person who washed Lashkar's body prior to burial

Md. Abdul Salek told Odhikar that at 7.00 am on December 5, 2009, he heard the news of Saifullah Lashkar's death. He arrived at the store room of Ali Akbar to see Lashkar's body. Salek recalled seeing blood dripping from Lashkar's mouth. There was a wound on his forehead. Salek washed Lashkar's body after it was brought home following the post mortem. He saw signs of strangulation on Lashkar's throat while he was washing the body. Salek thought that Lashkar had been strangled and beaten up with rifle butts.

-End of Report-