

## **Mohammad Rasel Ahmed Bhutto was allegedly shot dead by RAB 10**

Fact-finding Report

Odhikar

On March 11, 2011 at around 12.30 am, Mohammad Rasel Ahmed Bhutto, son of late Nasiruddin Ahmed Nesar, resident of 45/2 Proshanno Poddar Lane, under Kotwali Police Station, was allegedly shot dead by members of the Lalbagh Camp of the Crime Prevention Company (CPC)-3 of RAB-10.

The family of Rasel informed Odhikar that Rasel, a 34-year old shopkeeper, was picked up in a white microbus in the street outside a friend's shop, in front of Eastern Shopping Point at 20, New Eskaton Road in Dhaka city by RAB members in plain clothes at around 7.30 pm on March 3, 2011.

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

- Relatives of Mohammad Rasel Ahmed Bhutto;
- Eye-witnesses;
- Doctors, who conducted the post-mortem;
- Morgue Assistant, Sir Shalimullah Medical College Mitford Hospital; and
- Members of law enforcement agencies



### **Roksana Akhter (33), Sister of Rasel**

Roksana Akhter told Odhikar that her brother Rasel left home at around 4.00 pm on March 3, 2011 and went to his own shop 'Alauddin Motor Parts' at 89/A, New Eskaton road in the city. The shop was run by Rasel and his employee Md. Mobarak Hossain.

On March 3, 2011 at 7.40 pm Mobarak Hossain called Roksana Akhter on her cell phone and told her that Rasel had been arrested and taken by RAB at around 7.30 pm from in front of

Eastern Tower Shopping Point at New Eskaton road in Dhaka. Upon receiving this information, she informed their relatives. Later she and her elder sister Nasrin Akhter went to Kotwali Police Station, RAB-10, RAB-3 and RAB Headquarters to look for Rasel. The police officer on duty and RAB members denied that Rasel had been arrested. Police did not accept the complaint against RAB when Rokhsana went to Ramna Police Station for filing a case. Police did not even record it as a General Diary (GD). She said that Rasel had been acquitted from three cases out of five, the other two still being under trial.

Rokhsana further told Odhikar that some gun shots were heard at around 12.30 am on March 11, 2011 near their house close to Nawab Sirajdoula Park. After a few minutes, Jyotsna of the sweeper's colony, a girl she knew, informed Rokhsana that while selling *pitha* under the lamp post at Nawab Sirajdoula Park she saw a white microbus stopping in front of the park gate. Some plain clothed and uniformed RAB members came out from the microbus with a man blindfolded with a black cloth. Many people were roaming around but they moved away on seeing RAB members. RAB members gave the man some fruits and a water bottle. Jyotsna recognised the blindfolded man as Rasel. Rasel drank some water but did not eat the fruits. Rasel was then taken into the park by RAB and shot and was slumped against Zindabahr Jama Masjid's wall. Hearing this, Rokhsana rushed to the park and found some RAB members surrounding a man. She saw Rasel in a sitting position against the wall. One of the RAB members was taking photos putting a gun in Rasel's hand. She assumed that Rasel had died by this time. A bullet had hit Rasel's left ear and it was bleeding. Later RAB took him away from the spot. She also alleged that she had to leave the spot due to RAB's misbehavior. She went to Sir Salimullah Medical College Hospital in the afternoon to collect the body. She returned home with Rasel at around 7.00 pm after the post-mortem. Rasel was buried at Azimpur graveyard on March 11, 2011 at 8.00 pm.

**Md. Atowar Rahman (27), Eye-witness**

Md. Atowar Rahman told Odhikar that he was going to a shop beside Nawab Sirajdoula Park to buy cigarettes at around 12.00 midnight on March 11, 2011. He was there for 30 minutes and on his way home, he heard uniformed RAB members shouting 'hold him, hold him' in the park. He heard 4/5 gun shots. Many people living nearby the park rushed to the spot hearing the volley of gunshots. He also entered the park. RAB then told the people present that a shootout occurred between listed criminal Rasel Ahmed Bhutto and RAB. They showed them Rasel's body and claimed that Rasel died in a shootout by his associates. He saw in the light of the lamp post that a bullet had hit Rasel's left ear and it was bleeding. Atowar Rahman was told to sign a piece of paper by RAB. He was too scared to read it and signed the paper without doing so.

**Md. Reazuddin (36), Eye-witness**

Md. Reazuddin informed Odhikar that on the night of March 11, 2011, he was sleeping at his residence near the park. He woke up at around 12.30 am hearing 4/5 gun shots in the park. He

saw from the window of this house that some RAB members were running around and shouting “get them”. Hearing gun shots, local people residing at the area and shopkeepers had been entering the park. He also went to the park and saw Rasel, who he knew, lying on the ground bleeding. He said that some RAB pick-up vans came and the body was taken by the police of the Kotwali Police Station in the early morning.

**Md. Din Islam (38), Known to Rasel**

Md. Din Islam told Odhikar that Md. Rasel Ahmed Bhutto, resident of Proshonno Poddar Lane, used to come to his automobile shop ‘Toiyab Car Auto Centre’ in Eastern Shopping Point at 20, New Eskaton Road, Dhaka, to repair cars. Therefore, Rasel and his employee Mobarak were known to him.

On March 3, 2011 at around 6.00 pm Rasel and Mobarak came to Toiyab Car Auto Centre. They discussed the price a spare parts for private cars. Two customers came to his shop at 7.20 pm. They bargained on the price for seat covers of a microbus and left. At that time Rasel sent Mobarak to bring betel leaf and cigarettes. Rasel went to the main road to see why Mobarak was late. Mobarak informed Din Islam that he saw 2 persons came out from a 12-seater white microbus when he went to buy betel leaf and cigarettes on the main road. Four men, two from the microbus and two others, who stood on the road, grabbed Rasel and took him inside the microbus. Rasel was scuffling with those people and asking who they were and why he had been picked up. Din Islam ran towards the main road, but the microbus was far away. He also informed Odhikar that he assumed that the men were members of law enforcing agency.

**Md. Mobarak Hossain (27), Employee of Rasel’s shop**

Md. Mobarak Hossain told Odhikar that he went to Din Islam’s Toiyab Auto Car Centre with Rasel at around 6.00 pm on March 3, 2011. Rasel and Din Islam were talking inside the shop. In the mean time two people came to the shop and bargained with Din Islam on the price of seat covers for the microbus. Rasel sent him on the main road to bring betel leaf and cigarettes.

He went to the main road to buy betel leaf and cigarettes. He saw two men sitting in a white microbus in front of the betel leaf shop. After a while Rasel came out of the shop and went to the main road where he was grabbed by four men, (two from the microbus and the two who came to Din Islam’s shop), and they picked him up into the microbus and left. He then informed Din Islam about the incident. He also informed Rasel’s sister Rokhsana Akhter. Mobarak also told Odhikar that he was informed by Rokhsana on March 11, 2011 at around 8.00 pm, that Rasel had been shot dead by RAB at Nawab Sirajdoula Park.

**Sub Inspector Yeasin, Kotwali Police Station, DMP, Dhaka**

Sub Inspector (SI) Yeasin informed Odhikar that he went to Nawab Sirajdoula Park at 8.30 pm on March 11, 2011 after receiving the mobile command certificate no. 648/11 of Kotwali Police

Station. He saw the dead body of a man named Rasel Ahmed guarded by RAB and police. He prepared an inquest report of the body in the presence of the Assistant Commissioner and Executive Magistrate Md. Selim Hossain.

SI Yeasin mentioned in the inquest report that there was bleeding from Rasel's nose. There was a hole in his left ear caused by a bullet and old cut marks on right knee. Rasel was wearing a gray T-shirt and blue jeans. He did not see any other marks on the body. The body had been sent to Sir Salimullah Medical College Hospital for autopsy through constable Jasimuddin. The deceased's sister Roksana received the body from hospital after post-mortem.

**Umesh Chandra Singh, Deputy Assistant Director, RAB-10, CPC-3, Lalbagh Camp, Dhaka**

Deputy Assistant Director of RAB-10, Umesh Chandra Singh informed Odhikar that he was on duty under a special operation with other RAB members at Zindabahr Nawab Sirajdoula Park area on the night of the incident. He saw some men suspiciously roaming around in the park at around 12.30 on March 11, 2011. They started firing when RAB challenged them. RAB members opened fire, on the order of Major Harun-ur Rashid to protect life and property. Exchange of fire continued for about 5 minutes between the criminals and RAB. Major Harun-ur Rashid was wounded when criminals threw cocktails<sup>1</sup> at RAB members. The criminals then fled the area. Local people had come out and gathered in the park. Later, he saw a body near Zindabahr Jama Masjid at Nawab Sirajdoula Park. The deceased had a revolver with 4 rounds of bullets in his right hand. He prepared a seizer list. Local people informed him that the deceased's name was Rasel Ahmed Bhutto. The DAD of RAB-10 told Odhikar that Rasel was known as a notorious killer and extortionist in the Kotwali and Bongshal areas.

Being a complainant he filed two cases with the Kotwali Police Station on March 11, 2011- case no. 18, dated 11/03/2011 under section 19A of the Arms Act, 1878 and section 3(ka) of the Explosive Substances Act, 1908 (amended in 2002). He mentioned in the case that the accused Rasel Ahmed Bhutto (34), son of late Nesar Ahmed alias Nasiruddin, resident of 45/1, Proshanno Poddar Lane, under Kotwali Police Station, was a fugitive criminal. He also mentioned in the FIR that there were more than 10 cases, including 6 murder cases filed against Rasel. On March 11, 2011, he filed another case (case no. 19) based on the same incident under sections 353/332/307/302/34 of the Penal Code.

**Sub Inspector (SI) Mohammad Shamsuddin, In-charge, Naya Sadak Police camp, Kotwali, DMP, Dhaka**

Sub Inspector Mohammad Shamsuddin told Odhikar that Assistant Deputy Director Umesh Chandra Singh of Lalbagh Camp under RAB-10 filed two cases on March 11, 2011 with Kotwali

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<sup>1</sup> Hand made local bombs

Police Station being a complainant. The complainant mentioned in the FIR that Rasel was a fugitive criminal. He could reveal any more information as both cases were under investigation.

**Major Harun-ur Rashid, Company Commander, CPC-3, Lalbagh Camp, RAB-10**

Odhikar fact-finding team visited Lalbagh Camp of RAB-10 to talk with Major Harun-ur Rashid. But he refused to talk to Odhikar about the incident.

**Major Md. Shakhawat Hossain, Deputy Director, Legal and Media Wing, RAB**

**Headquarters**

Major Md. Shakhawat Hossain informed Odhikar that Rasel had died in gunfight with RAB members of Lalbagh camp on March 11, 2011. He was a listed criminal. He informed that there were 8 cases filed with Kotwali and Sutrapur Police Station against Rasel. Kotwali Police Station case no. 62(5)2002; 19(6)1991; 15(3)1994; 8(2)2003; 11(2)2004; 41(8)2009 and Sutrapur Police Station case no. 19(3)2003 and 66(3) 2004. He claimed that Rasel was not picked up or arrested by RAB.

**Dr. Mohammad Sarwar Hossain**

Dr. Mohammad Sarwar Hossain conducted the post-mortem of Rasel. He refused to talk to Odhikar about the post-mortem and asked Odhikar to contact the Head of the Forensic Medicine Department at Sir Salimullah Medical College Hospital, Dr. Md. Belayet Hossain Khan.

**Dr. Md. Belayet Hossain Khan, Head of Forensic Medicine, Sir Salimullah Medical College Hospital**

When Odhikar contacted Dr. Md. Belayet Hossain Khan, he refused to comment on the issue.

**Sumon, Morgue Assistant, Sir Salimullah Medical College Hospital**

Morgue assistant Sumon told Odhikar that constable Jasimuddin of Kotwali Police Station brought the body to the hospital morgue in the morning on March 11, 2011 for autopsy. Post-mortem was conducted by Dr. Md. Sarwar Hossain, Lecturer, Department of Forensic Medicine of Sir Salimullah Medical College Hospital. Post-mortem no. 79, dated 11/03/2011. The body was handed over to the deceased's sister Roksana Akhter after post-mortem.

**Odhikar's observation**

During the fact-finding mission, Odhikar spoke with police, RAB, eye-witnesses and the family of Rasel. Odhikar found some discrepancy in the statements given by police, RAB and eye-witnesses. The family of the deceased and eye-witnesses alleged that Rasel was picked up by some plain clothed RAB members on March 3, 2011 from New Eskaton Road in Bangla Motor area and was shot dead at Nawab Sirajdoula Park on March 11, 2011. However, RAB denied this allegation and claimed that they did not arrest Rasel. According to RAB, a team of RAB-10 was on special duty at Nawab Sirajdoula Park and Rasel died in a gunfight with criminals in the park.

Meanwhile, Rasel's address was written in RAB and Police registers as 45/1, Proshonno Poddar Lane. However, his actual address was 45/2, Proshanno Poddar Lane.

Odhikar demands that the government should take legal action to punish the perpetrators through proper and impartial investigation.