

Samsel Islam Robin Shot and Killed by the Police at Kotchandpur, Jhenaidaha

Fact Finding Report

Odhikar

It was alleged by the family members of the deceased that Samsel Islam Robin (42), son of Fakir Mondol from the village of Sreerampur, Magura, was shot and killed by the Police of the district Detective Branch beside the Kaliganj-Dorshona road near the Kotchandpur bus-stand at 12.00 pm on February 3, 2009.

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

- Relatives of the deceased
- Eyewitnesses
- The Doctor who had performed the Post-Mortem and also the Morgue Assistant
- Members of the law enforcement agencies



Samsel Islam Robin was allegedly shot to death by police

Shahadat Hossain (50), Elder brother of Samsel Islam Robin

Shahadat Hossain told Odhikar that at 1.30 pm on February 3, 2009, he was working at his land. While working, his neighbor Anwar (45), son of Mokched Mollah informed him that Samsel Islam Robin had been killed in crossfire with the DB Police at 12.00 pm at the Kotchandpur bus-stand. Shahadat then took his relatives to the Jhenaidaha Sadar Hospital. However, Shahadat did not find Robin's dead body at the hospital on that day. The following day, Shahadat identified Robin's body at the Jhenaidaha Sadar Hospital morgue. After the completion of the Post-Mortem examination, Shahadat took Robin's body to their village Sreerampur, Magura, at 3.30 pm, escorted by the DB Police¹ of Jhenaidaha and the Police of the Magura Police Station. The body was buried at 5.00 pm. Shahadat informed that 16-17 years back a gang of dacoit came to their house and shot and killed his other brother Abdul Kuddus. A murder case was filed at the Magura Police

¹ DB Police: Detective Branch of the Police.

Station, but justice was never done. It was Robin, who out of vengeance for his brother's murder, joined the Sharbahara Party with the help of its party leader Shahid from the neighbouring village and eventually Robin left his home one day. It was Shahadat who later spoke to Abdul Huq, the leader of the Sharbahara Party and removed Robin's name from the party members list and brought him home. Robin however left home again due to various other problems.

During the previous Awami League regime (1996-2001), Robin surrendered himself at Jessore, in response to the general amnesty declared by the then Home Minister Mohammad Nasim. Later on Robin was sent to jail. Since Robin was not a criminal, he was released on bail with the help of Tarikul Islam, a former Environment and Forest Minister of the BNP government. Robin was not in contact with anyone from his home. Shahadat stated that his brother's only crime was that he joined the Sharbahara Party. Because of this Shahadat himself has suffered at the hands of RAB. The year before, the RAB had taken Shahadat away and tortured him to the extent of breakings his hands and legs. Shahadat concluded saying that although he was not a criminal he always lived in fear of the RAB and Police.

Bhokto Das (50), Eyewitness, Kotchandpur Animal Hospital locality

Bhokto Das told Odhikar that he is a rickshaw puller. At 11.45 am on February 3, 2009, he was plying along the Kaliganj-Dorshona road near the Kotchandpur bus-stand. Suddenly he heard heavy gun firing 50/60 yards away. He saw a man wearing a lungi and a shirt, with a small bag of peanuts rolled over his shoulder while going somewhere on a rickshaw. All of a sudden that man got down from his rickshaw, took out a pistol and held it against another man who was wearing a coat and trousers. Two more men arrived from the other side of the road with their pistols and fired twice at the legs of that man who had been caught. The man fell to the ground when he was shot on the legs. He was then taken near to Babul's fruit shop and laid down on the ground. Three to four men arrived in lungis and shirts and stood surrounding the injured man. One of them raised his gun and fired three blank shots in order to create panic in the area. The shopkeepers closed down their shops and left the scene immediately. The whole bus-stand was then empty. Bhokto Das left his rickshaw beside the road and tried to watch what was happening, from a safe distance. Three to four minutes later the men fired another three to four shots. A civil dressed man arrived and began to talk through his wireless. Another man raised his voice and said, 'Do not be afraid. Maintain a safe distance. A Choromponthi criminal is firing here'. The civil dressed man informed that an alleged criminal had been arrested. 15/20 minutes later, Police from the Kotchandpur Police Station arrived. At 12.45 pm, Officers arrived at the spot by RAB and Police vehicles. Police using a hand mike declared, 'Residents of this locality...please come and see...Samsel Islam Robin, a top criminal of this locality, an extortionist, a man who has kidnapped and demanded ransom money and who is also on the top of the Police list of absconding criminals, had come to bomb and fire upon the DB Police of Jhenaidaha but has been killed in a crossfire'. When Police allowed the local residents to look at the body, hundreds of people gathered to catch a glimpse. Bhokto Das went close to see the dead body and saw two firearms and two red taped bombs beside it. A black bag was lying beside the head of the deceased. Later on the Police left the scene with the body.

Bacchu Miah (52), Eyewitness, a shop-keeper at Kotchandpur bus-stand

Bacchu Miah told Odhikar that suddenly at 11.00 am on February 3, 2009, he saw several new faces amongst the hawkers and who were carrying various products, at the Kotchandpur bus stand. Some of them were wandering here and there with Chinese peanuts or a flask of tea, while others carried cigarettes or bag of chocolates. At 12.00 pm, a bus going towards Kaliganj from Jibonnagar Dorshona arrived and stopped in front of his shop. A man wearing a coat and trousers along with another woman got down from a bus and boarded a rickshaw. A man wearing a lungi and a shirt carrying a bag of peanuts over his shoulders called the man wearing the coat and trousers. He approached him and when he was close enough, he grabbed him by the collar, took out a pistol from his bag of peanuts and fired at the man, whom he had grabbed. Two more men arrived and they also fired upon the man wearing the coat. Bacchu Miah was told by the armed men to leave his shop and he immediately complied and left after closing down his shop. All form of transport on the Kaliganj-Dorshona road was stopped and the whole locality was emptied. Bacchu realized that these men were from the DB Police. A RAB vehicle and two Police vehicles from Jhenaidaha arrived at 12.40 pm. Bacchu saw two firearms and two red taped hand bombs along with a black bag beside the dead body. Later on the Police took the body and left.

Md. Daudar Rahman (40), the man who washed Robin's body

Md. Daudar Rahman told Odhikar that towards dusk on February 4, 2009, he washed Robin's body. There were two bullet wounds on Robin's chest. There were also single bullet wounds on his right thigh and below the left knee. Two fingers from Robin's right hand were broken.

SI Obaidur Rahman, Second Officer, Kotchandpur Police Station

SI Obaidur Rahman told Odhikar that at 12.00 pm on February 3, 2009, a criminal named Robin was killed in crossfire by the Jhenaidaha district Police at the Kotchandpur bus-stand. According to the information given by the DB Police, SI Obaidur Rahman went to the scene of the incident and retrieved Robin's body, two firearms and two red taped hand bombs. SI Sheikh Motiyar Rahman from the Jhenaidaha district DB Police filed three cases at the Kotchandpur Police Station in relation to this incident. The cases were numbered 1, 2 and 3 and dated, 3/02/2009. The first case was filed under Sections 332/333/353/304/34 of the Penal Code; the second case was filed under section-19 (Ka) (cha) of The Arms Act 1878, and the third case was filed under section- 4, 5 of The Explosives Act 1884 respectively. Obaidur informed that he was investigating case no. 2 himself. He had prepared the Inquest Report of Robin's dead body. Regarding that Inquest Report Obaidur stated that there were two bullet wounds on the sides of Robin's chest along with another bullet wound on the right thigh.

SI Mohsin, Kotchandpur Police Station, Jhenaidaha

SI Mohsin informed that the case filed against Robin for obstructing state work and attempting the murder under case no. 1 which was filed on 3/02/2009. It was filed under Sections 332/333/353/304/34 of the Penal Code. He is the Investigating Officer of the case. He did not want to make any further comments about the case.

SI Ranjit Krishna Majumdar, Kotchandpur Police Station, Jhenaidaha

SI Ranjit Krishna Majumdar told Odhikar that on February 3, 2009, Robin was killed in crossfire with the DB Police. SI Sheikh Motiyar Rahman of the Jhenaidaha district DB Police filed a case at the Police station because explosives and firearms that were found at the place of occurrence. The case was numbered 3 and dated, 3/02/2009, under Section 4/5 of The Explosives Act 1884. Ranjit is the Investigation Officer of that case. He refused to make any comments about the case because the retrieved explosives had not been tested yet and the case was still under investigation.

Forkan Shikdar, Officer-in-Charge, Kotchandpur Police Station, Jhenaidaha

Forkan Shikdar told Odhikar that Robin was a listed top criminal from the Choromponthi (Extremist) organization. There were numerous cases filed against Robin for acts committed by him such as, terrorism, robbery, carrying firearms, attacking Police etc. Forkan refused to make any further comments.

Jahangir Hossain Matubbar, Police Super, Jhenaidaha

Jahangir Hossain Matubbar told Odhikar that Samsel Islam Robin, was a top leader of the banned "Gonomukti Fouz, a Choromponthi organization." He was listed no. 1 in the Police's most wanted list of top criminals and Robin had been involved in criminal activities from his position in hiding. Robin, one of the most wanted criminal in the Police list, arrived at the bus-stand of Kotchandpur on February 3, 2009 with the intention of collecting ransom money from a particular businessman and Jahangir stated that the DB Police also reached at the place based on secret information. However, Robin challenged the Police and detonated explosives and open fired. In self defense the Police fired back, which caused the death of Robin at the spot. He also added that there were 5 cases in Jhenaidaha Police station, 2 cases in Kaliganj Police station, 2 cases in Magura Police station, 3 cases in Shalikha Police station, 1 case in Sreepur Police station and 1 case in Jessore Kotwali Police station against Robin. Apart from this (KA) GD no. 876 in Jhenaidaha Police station, date: 15/4/2002, GD no. 562, date: 13/5/2002, GD no. 137, date:3/2/2002, GD no 328, date: 7/2/2002, GD no. 268, date:6/4/2002, (KHA) GD no. 137 of Kaliganj Police station, date: 3/2/2002, (GA) GD no. 279 of Shailkupa Police station, date: 5/2/2002.

Shudhir, Morgue-Assistant, Jhenaidaha Sadar Hospital

Shudhir told Odhikar that there were two shotgun bullet wounds just below the deceased's chest, along with wounds on the right thigh and just below the left knee. Robin was wearing a blackish blue coat and trousers along with a white shirt.

RMO Doctor Reza Sekandar, Jhenaidaha Sadar Hospital

Doctor Reza Sekandar, the resident doctor of the Jhenaidaha Sadar Hospital told Odhikar that the Post-Mortem examination was carried out by a Medical Board comprising of a Magistrate and two Doctors on the 4th of February, 2009. He refused to comment any further on this.

-The End-