



Abdul Karim Gazi was allegedly tortured for 5 days in Kaliganj Police Station, Shatkhira

Fact Finding Report

Odhikar

Abdul Karim Gazi (45), son of Rahmat Gazi Bhangamari village of Kaliganj thana of Shatkhira district was a suspect in a motorcycle hijacking case in Kaliganj Police Station and on 3 August 2011 he was arrested. In the name of taking confession, the police confined Abdul Karim Gazi in the jail of the Police Station for 5 days and tortured him. Then on 7 August 2011, he was sent to the Shatkhira Court.

The police claimed that they arrested Abdul Karim Gazi on 6 August 2011 and sent him to the Court on 7 August 2011 and that he was tortured. On 30 August, 2011 Abdul Karim Gazi was released on bail from the Court.

Human rights organisation, Odhikar has conducted a fact-finding mission in to the matter. During this, they interviewed:

- Abdul Karim Gazi and his relatives
- Eye-witness
- Reluctant police officers

Abdul Karim Gazi (45), alleged victim

Abdul Karim Gazi told Odhikar that he earns his livelihood by shrimp cultivation. On 3 August 2011, he was going to pray in the Nolta Mosque in the afternoon. On his way to the mosque GM Kismatul Arefin of Kashibati village of Kaliganj, started beating him with no reason. At the same time, police in plain clothes arrived there, put Gazi in handcuffs, and took him to the police station. At Kaliganj Police Station, he came to know that someone or some people had hijacked a motorcycle belonging to Kismatul Arefin. That is why Kismatul Arefin had filed a case at Kaliganj Police Station. Police arrested him on 3 August 2011 as a suspect and confined him the whole night in the custody of the police station, and tortured him in different ways in the room of duty officer. He said that the investigating officer SI Rofikul Islam took him to the room of the duty officer, and still handcuffed, made him lie on his back and then pressed a chair on his chest to make him confess to the theft of the motorcycle.

He said that on the second day SI Rafikul Islam took him to the room of the Officer in Charge and handcuffed and blindfolded him. There was chilli powder in the blindfold. Then

the SI told him to admit to the crime of stealing the motorcycle. When he refused to make a false confession, he was hit on his genitals. Unable to tolerate the torture, he agreed to confess to the motorcycle crime before the Magistrate. Every night, they blindfolded him and took him with them in a police van to search for the motorcycle. He said that on 7 August 2011 police officers took him to the Shatkhira Magistrate Court from Kaliganj Police Station. In front of the Magistrate, he said that he was confined from 3-7 August in the police station jail and oppressed to make a confession. He claimed he was not involved with the motorcycle theft. However, the Magistrate sent him to jail. On 30 August 2011, he was released on bail.

Ebadul Islam (40), Abdul Karim Gazi's brother

Ebadul Islam told Odhikar that the influential people of Bhanganmari are always in possession of the Khash lands.¹ There is a case going on in the High Court between the government and the possessors. Abdul Karim Gazi takes care of the cases on behalf of the government. Therefore there has been a long history of enmity between Gazi and the occupants. That is why those influential people implicated him in cases as an accused. The present Chairman of Bharashimla union parishad and the general secretary of BNP, Nur Mohammad Bishwas, in collusion with the police made Abdul Karim Gazi an accused in the case of the motorcycle theft case. In order to make him confess, police tortured him. From 3 to 7 August 2011, Gazi was confined in Kaliganj Police Station jail and was beaten with sticks and boots. He went to the police station to see Abdul Gazi several times but the police did not let him meet his brother.

Nur Islam (30), eye-witness

Nur Islam told Odhikar that it was hat day (market day) at Nolta. Some police in plain clothes chased Abdul Karim Gazi, arrested him, put him in handcuffs, beat him, and took him with them. No one dared step forward to save Abdul Karim Gazi, as they were afraid of the police.

GM Kismatul Arefin (38), complainant of the motorcycle theft case

GM Kismatul Arefin told Odhikar that at around 11 pm on 29 July 2011 he was going to Bagbati from Nolta, Shatkhira in a black 150 cc Pulser motorcycle with Johor Ali and Abdur Rahim. In an empty space at the Hijla Mouja border, some people stopped them and hijacked the motorcycle by showing them sharp weapons after fighting with them. On 30 July 2011, he went to the Kaliganj Police Station and filed a case.

He said that based on that case, police arrested a person named Shuvash Kormokar accusing on that case and according to the statement of Shuvash Kormokar, the police arrested Abdul Karim Gazi.

¹ Khas land is owned by the government.

Syad Foriduddin, Officer-in-Charge, Kaliganj Police Station, Shatkhira

Syad Foriduddin told Odhikar that on 30 July 2011, GM Kismatul Arefin of Bagbati came to the police station and filed a case for motorcycle theft. The case number is 33; date: 30/07/2011 under sections 143/341/342/323/379/385/307/506 of the Penal Code. In that case, the police arrested a man named Shuvash Kormokar. According to the statement of Shuvash Kormokar they arrested Abdul Karim Gazi. He claimed that they did not torture Abdul Karim in the police station.

Sub Inspector (SI) Rafikul Islam, the investigating officer, Kaliganj Police Station

SI Rafikul Islam told Odhikar that on 6 August 2011 the complainant of the motorcycle theft case; GM Kismatul Arefin confined Abdul Karim Gazi of Bhangamari village from the Nolta market area and informed him that he had caught the hijacker. Then he went to Nalta and brought Abdul Karim Gazi to the police station after arresting him.

He said that on 7 August 2011 he brought Abdul Karim Gazi to the Shatkhira Court. The Court sent him to jail. He also informed Odhikar that Abdul Karim Gazi had not been tortured. He claimed that Abdul Karim Gazi is an encroacher and that there are several cases against him in Kaliganj Police Station.

Odhikar demands effective legal steps to be taken after a proper investigation regarding this alleged incident of torture.