



## **Mohammad Manik allegedly died in the custody of Kotwali police in Chittagong**

### ***Fact Finding Report*** **Odhikar**

On 11 May 2010 at around 7.00 a.m, Mohammad Manik (38), a night guard of Anjuman Residential Hotel of Reazuddin Bazar, 116 Station Road, under the Chittagong City Corporation, died in the Kotwali police station of Chittagong, while he was in custody of the police. The family alleged that Sub Inspector Yunus Mia arrested Manik on 10 May 2010 and tortured him during interrogation which caused his death. Manik, son of Ziaul Haq came from Charparbati village of Kompanigonj police station under the district of Noakhali.

Human rights organization Odhikar conducted a fact finding mission into this incident. During the fact finding, Odhikar interviewed:

- Relatives of Manik and other concerned persons
- Eye witnesses of Manik's arrest
- Doctors and assistants who conducted the post mortem
- Police personnel / Law Enforcement Officers



Picture: Mohammad Manik

**Laila Begum (32), the widow of Manik:** Laila Begum informed Odhikar that she lived with Manik along with their three sons in a rented house which belonged to Mizan Jamindar which was located beside the Anjuman Residential Hotel in Chittagong. She said Manik was a night guard of Anjuman Residential Hotel of Reazuddin Bazar of 116 Station Road under the Chittagong City Corporation. On 8 May 2010 her husband received his salary. She, her husband and their three sons started for their village on 10

May 2010. When they reached the Olongkar bus stand, the owner of the hotel Alauddin Bitu telephoned Manik to return to the hotel. Then Manik arranged for them to get to the village and returned to the hotel. On 11 May 2010 at around 9.00 a.m. Mizan Jamider telephoned and informed her that Manik had died in the custody of Kotwali police. She then rushed from her village in Noakhali and reached Chittagong at around 2.00 p.m. She received Manik's dead body from Chittagong Medical College Hospital and started for her village at around 6:00p.m., she reached Chaarparvati in Noakhali at 8.30 p.m. and buried his body at around 11.00 p.m. She stated that the Sub-Inspector of Kotwali Police Station Mohammad Yunus Mia had tortured Manik, after having arrested him in a theft case. She alleged that severe torture caused his death. She demanded justice for her husband's death, through a fair investigation.

**Alauddin Bitu (47), owner of Anjuman Residential Hotel:** Alauddin Bitu informed Odhikar that Manik had been working with Anjuman Residential Hotel for 22 years, as a night guard. On the ground floor of the hotel, Arman Ahmed rented a shop selling mobile phones. On 7 May 2010, a theft took place in the shop. On 8 May at around 10 p.m. a man telephoned Bitu and introduced himself as Mohammad Yunus Mia, Sub-Inspector of Kotwali police station and asked him to bring Manik to the police station. When Bitu asked him whether there was any case filed against Manik, Yunus Mia informed him that there was no case filed against Manik. On 9 May 2010, Yunus Mia called and threatened Bitu several times, saying that if he did not take Manik to the police station he would have to face dire consequences. On 10 May 2010 at around 11.00 a.m. Bitu met Yunus Mia accompanied by Manik, the hotel Manager of Anjuman Residential Hotel, Solaiman, the hotel's regular boarders Shankar Babu and Elyus Bhuiyan, and the owner of the hotel Allawala. Then, Sub-Inspector Yunus Mia asked Manik to remain and asked the rest to leave. When Bitu said that if Yunus Mia needed to interrogate Manik, he could do so in front of them, Yunus Mia told them that Manik had been arrested and forced them to leave the police station. Bitu came to know that Arman had filed a case against Manik on 8 May 2010 about 5.10 p.m. In that case Manik had been shown as an accused party. On 10 May 2010 at about 11.00 p.m. Bitu sent Solaiman to get information about Manik. Solaiman left some food for Manik at the police station. On 11 May 2010 at around 7.00 a.m. Solaiman again went to Kotwali police station and came to know that Manik was not in the police lock up, but had already been sent to the Chittagong Medical College Hospital as he had become ill. Hearing this, he rushed to the Chittagong Medical College Hospital, where Solaiman learnt that Manik had died. Then he informed Bitu about this over the mobilephone. Bitu claimed that Sub-Inspector Yunus Mia had beaten Manik to death. He demanded justice for Manik's death.

**Arman Ahmed (29), the Owner of 'Asia Telecom', a mobile phone shop:**

Arman Ahmed informed Odhikar that he leased a room from the owner of Anjuman May 2010 in the morning, he found that the shutters of the shop had been broken and a theft had occurred at his shop. He stated that there was no one except Manik on duty as a night guard on 7 May 2010, and he thought that Manik along with other thieves may have committed this crime. So he filed a case accusing Manik at about 5.10 p.m. at Kotwali Police Station. The number of the case was 21, section 457/380 Penal Code. On 10 May, at about 11 a.m. Bitu took Manik to the police station. Arman also went to the police station and came to know that the investigation officer, Sub-Inspector Mohammad

Yunus Mia had arrested Manik. On 12 May 2010 he heard that Manik had died while in police custody. He further stated that the brother of Manik, Jasimuddin had filed a murder case against Arman and S.I Mohammad Yunus Mia in the court.

**Jasimuddin (39), brother of Manik, Charparbati, Kompanigonj, Noakhali**

On 11 May 2010, at about 9.00 a.m. Jasimuddin came to know by mobile phone that his brother Manik had died whilst in police custody. He rushed to Chittagong from Noakhali and found Manik's dead body in the hospital morgue. On 12 May he filed a petition case at the Chief Judicial Magistrate Court, Chittagong accusing Sub-Inspector Yunus Mia and Arman. The case number was 85/2010. According to the order of the court the Kotwali police station admitted the case as a regular murder case. The case is numbered as 34(5)2010; Section 302/34 Penal Code. Since then, several times Sub-Inspector Mohammad Yunus Mia or the Officer in Charge of Kotwali police station, Mahiuddin Mahmud offered Jasimuddin five hundred thousand taka ( 7196.25 USD) to resolve the case.

**Sub-Inspector Arifur Rahman, Kotwali Police Station, Chittagong Metropolitan Police, Chittagong**

Sub-Inspector Arifur Rahman told Odhikar that he is investigating the murder case filed by Jasimuddin, the brother of the deceased. The case was filed on the 12<sup>th</sup> of May, 2010 and was numbered murder case- 34(5)2010; Section 302/34 Penal Code. He stated that he did not want to disclose anything for the sake of not interrupting further investigation.

**Sub Inspector Mohammad Yunus Mia, the police officer accused of the torture and death of Manik:**

Sub-Inspector Mohammad Yunus Mia informed Odhikar that on 8 May 2010 a man named Arman Ahmed, a tenant at Saluddin's house on lane no.2 of Alkaran, came to the police station and filed a case about theft at his shop. He accused Manik, the night guard of the incident. The case number was 21, Section 457/380 Penal Code. He mentioned in his First Information Report (FIR), that Arman had a mobile phone shop named 'Asia Telecom' at 116 Station Road at Reazuddin Bazaar on the 5 storey Anjuman Residential hotel's ground floor. In Arman's FIR it was also mentioned that on 7 May 2010 with the collaboration of night guard Manik, thieves had committed theft at his shop. Mohammad Yunus Mia said he visited the place of the incident as an investigation officer for the case. He then told the hotel's owner Alauddin Bitu to go to the police station along with Manik. On 10 May 2010, at around 11:00a.m Bitu along with Manik, Solaiman, and Shankar Babu went to the police station. Then he arrested Manik and kept him in the lock up of the police station. On that night there were nine other accused in the police station lock up. He said that on 11 May at around 6.00 a.m. he brought Manik to his room from the lock up and interrogated him about the theft. He interrogated him for about 20 minutes, put him back to the lock up and went back to the barrack and slept. At around 7.30 a.m. a sentry informed him that Manik had become sick inside the lock up.

He then sent Manik to Chittagong Medical College Hospital along with Sub-Inspector Monzoor Kader Bhuiyan. At about 8.10 a.m. Manik died in the hospital. Yunus said

Manik was not tortured in the custody. He also mentioned that Manik's brother Jasimuddin had filed a case against him and Arman, on 12 May, 2010

After Manik's death on 15 May, Mohammad Yunus Mia was transferred to Khulsi police station as a murder case was filed against him.

On 8 August 2010, Mohammad Yunus Mia informed Odhikar that as per Supreme Court order he had been suspended on 31 May 2010 and is currently in the Chittagong Police Line.

**Litu Hossain (19), who shared the same custody with Manik**

Litu Hossain in his written statement informed Odhikar that after arrest under the case numbered 51(4)2010, he was with Manik in the same custody of the police station on 10 May 2010. On 11 May 2010 at around 6.00 a.m. in the morning a police officer took away Manik from the custody. After 30 minutes the same police officer brought him back to the custody. Upon his return, Manik drank water from a bottle. After a while he fell down on the floor and was panting and breathing rapidly. Later, the sentry and other police personnel took him out from custody.

**Sub-Inspector Ruhul Amin, Kotwali Police Station, Chittagong Metropolitan Police, Chittagong**

Sub-Inspector Ruhul Amin informed Odhikar, on 10 May 2010 at around 11.10 p.m. Sub-Inspector Mohammad Yunus Mia put Manik under arrest. On 11 May 2010, Manik became sick in custody. Then Sub-Inspector Manzoor Kader took him to the hospital and informed him by telephone that Manik died at about 8.15 in the morning at ward number 01 of the emergency department of the hospital. Sub-Inspector Ruhul Amin received the death certificate at around 10.20 a.m. and filed an unnatural death case at Kotwali police station at 10.30 p.m. The case has been numbered 14, dated 11/5/2010

**Sub-Inspector Mobarak Hossain, Kotwali Police Station, Chittagong Metropolitan Police, Chittagong**

Sub-Inspector Mobarak Hossain informed Odhikar that he was the Investigation Officer of the unnatural death case filed by Sub-Inspector Ruhul Amin on 11 May 2010 which was numbered 14. He stated that in the inquest report it was mentioned that the skin on the victims forehead looked like it had been scratched off. There was a wound at the back of the victims head. Black marks were found on both of his arms. Manik's brother Jasimuddin filed a petition case to the Chief Judicial Magistrate, which is number 85/2010 under Kotwali police station. Mobarak Hossain said he closed the case of unnatural death as the murder case had been filed.

**Mahiuddin Mahmud, Officer in Charge, Kotwali Police Station, Chittagong**

Mahiuddin Mahmud informed Odhikar that on 10 May 2010 Sub-Inspector Mohammad Yunus arrested Manik in a theft case. On May 11, 2010 early in the morning Sub-Inspector Mohammad Yunus Mia interrogated him inside the police station. After interrogation, Manik was kept in the lock up where he became sick. Then Sub-Inspector Manzoor Kader Bhuiyan took him to the Chittagong Medical College Hospital. Around 8.15 in the morning Manik died. After the incident Sub-Inspector Ruhul Amin being the informant filed an unnatural death case. Besides this, Manik's brother also filed a petition case against Sub-Inspector Yunus Mia and Arman. As per order from Court, the murder case was admitted as a regular case numbered as 34(5)2010; Section 302/34, Penal Code at the Kotwali Police Station at Chittagong. He claimed that the allegations made against him by Manik's brother Jasim, of attempts to get Jasim to settle the matter in exchange for BDT 500,000, were unsubstantiated and baseless.

**M. Abdul Jalil Mondol, Additional Police Commissioner Chittagong Metropolitan Police, Chittagong**

M. Abdul Jalil Mondol informed Odhikar that he heard that, on 11 May 2010 at around 8.15 a.m. a person named Manik died in the custody of Kotwali police station. An unnatural death case was filed by police and a murder case was also filed by the brother of deceased through the court. Both the cases are under investigation. The cases will be settled according to the courts judgement.

**Khondaker Nurul Haq, Magistrate (RDC), the person who prepared the inquest report**

Khondaker Nurul Haq informed Odhikar that on 11 May 2010 as per the instruction of the Deputy Commissioner he went to the Chittagong Medical College Hospital at around 2:00pm and prepared an inquest report for Manik. He said that there was a sign that he had suffered a blow to the back of his head and his wrists and ankles looked like they had been bound by ropes or chains. There was also a wound on his left arm.

**Dr Salauddin, lecturer, Forensic Medicine Department, Chittagong Medical College Hospital, Chittagong**

Dr Salauddin informed Odhikar that on 11 May, 2010 at 3.00 p.m. he performed the post mortem of Manik. In his report he mentioned that due to the blow at the back of his head, Manik died. He mentioned in his report that, Manik's death was brought by the blow that he received to the back of his head.

**Shudhangsu, Morgue Assistant, Chittagong Medical College Hospital, Chittagong**

Shudhangsu informed Odhikar that on 11 May 2010 at about 8.10 a.m. the Sub-Inspector of Kotwali Police Station Manzoor Kader Bhuiya brought a dead body. The doctor kept the dead body at ward number one of the emergency department. Then, the Medical Officer issued the death certificate. The body was then left in the morgue. At 2.00 p.m. the inquest report was prepared, and at 3.00 p.m. Dr Salauddin prepared the post mortem report which was numbered as 370; dated 11/05/2010.

**Kazi Mohammad Hanif( 28), the person who washed Manik's dead body**

Kazi Mohammad Hanif informed Odhikar that on 11 May 2010 at around 8.30 p.m. his relatives brought the dead body of Manik from Chittagong to Charparvati village, District

of Noakhali. He washed the dead body of Manik. He said there were signs of injuries and torture at the back of his head, arms, left ankle and other parts of the body.

**Odhikar demands an impartial investigation of the death of Mohammad Manik and the perpetrators should be brought to justice.**

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