



## **The death of farmer Sanaul Haque allegedly by BSF firing in Shibganj of Chapainawabganj district**

*Fact Finding Report*

*Odhikar*

Odhikar learned that on July 25, 2012 at around 1:50 pm that Sanaul Haque (25), son of Abdur Rashid and Mosammat Minyara Khatun of Tarapur Morolpara village at the Monkosha Union Parishad of Shibganj upazila in Chapainawabganj district, was killed by Border Security Force (BSF) firing at the Shingnagar border, where he had gone to irrigate his crop. Sanaul was a farmer. His land was within 100 yards of the 1S pillar of 169. When Sanaul was irrigating crops on his field, members of BSF's 20th battalion, at the Daulatpur border under Baishthabpur Thana of Maldah district in India, opened fire at him. Sanaul Haque died due to the BSF firing, his family alleged.



Photo: Sanaul Haque

Odhikar carried out a fact finding mission into the incident. During the mission Odhikar interviewed:

- Sanaul's relatives
- Witnesses and
- Members of the law enforcement agencies



**Abdur Rashid (53), father of the deceased Sanaul Haque:**

Abdur Rashid informed Odhikar that on July 25, 2012 at around 10:00am, Sanaul went to tend his crops as usual. At around 2:00pm, Rashid's brother Mohammad Alkes came home and informed him that the BSF members have shot his second son Sanaul. He was lying wounded, beside their paddy field. Rashid fainted after hearing the news.

**Mosammat Baby (22), wife of the deceased Sanaul:**

Mosammat Baby told Odhikar that on July 25, 2012 at around 10:00am, her husband Sanaul Haque left the house to water their paddy field. At around 2:00pm the same day, Alkes, the brother of her father in-law informed her that Sanaul was shot by the BSF members. She immediately rushed to the place of incident and saw a wounded Sanaul lying beside the paddy field. Then the police of Shibganj Police Station came and took Sanaul away. The next day, on July 26, 2012 at around 2:00pm, after the completion of the post mortem, Sanaul's dead body was brought home and buried.



Sanaul's wife, child and parents

**Mohammad Alkes (45), witness and uncle of the deceased:**

Mohammad Alkes informed Odhikar that on July 25, 2012 at around 1:45 pm, he was standing beside the room that contained the water pump that irrigated the paddy field, situated in the northeast of sub pillar 1S of pillar 169 in the Shingnagar border area. At around 1:50pm he heard two rounds of gunshots. When he heard the gunshots, he immediately laid down on the aisle amongst the paddy fields. After some time he raised his head, still terrified and saw a BSF car parked at the Daulatpur border. He saw around 5/6 members of the 20<sup>th</sup> battalion of BSF. He also saw that among the BSF members, who were pointing their guns at the Bangladesh border, one of them was in plainclothes and assumed that he was a high official of BSF. Upon seeing that, he put his head down again. A few moments later he heard another gunshot, the third one. After some time when he did not hear anymore gunshots he raised his head slightly and saw the BSF members leaving with their car. When he stood up and looked around, he saw Sanaul lying beside the ditch that is used to water the crops, near the paddy field. He screamed and called the people nearby. He assumed that the third bullet, fired by BSF must have hit Sanaul under his right eye and as a result he died on the spot. After that he went to Sanaul's parents and told them about his death and then went to Commander Nayek Subedar Mohammad Abdur Rashed of the BGB Shingnagar Camp to inform him about Sanaul's death.



Pic 1. The place where Sanaul found lying after being shot. Pic2. The circled area under his right eye is where he was shot (photo collect) Pic3. Sanaul's grave

**Mohammad Joynal Abedin (70), person who bathed the dead body:**

Mohammad Joynal Abedin told Odhikar that on July 25, 2012, he learnt from Sanaul's family that he had been killed by gunshots fired by BSF members. On July 26, 2012, at around 4:00pm when Sanaul's dead body was brought home after the completion of the post mortem from the Chapainawabganj Adhunik Sadar Hospital, he went and bathed the dead body. At that time he saw a bullet wound under the right eye and another wound under the left ear of the body of Sanaul.

**Nayek Subedar Mohammad Abdur Rashed, Camp Commander, BGB Shingnagar border, Shibganj, Chapainawabganj:**

Nayek Subedar Mohammad Abdur Rashed informed Odhikar that on July 25, 2012 at around 2:10 pm he saw a patrol jeep of BSF's 20th Battalion of Daulatpur camp parked on the concrete road parallel to the 169 main pillar. At that time he saw BSF members strolling in that area while their arms were in front of the jeep. At around 2:15pm, he came to know from the villagers that Sanaul's dead body was found with a bullet wound under his right eye, lying beside the drain near the shallow machine room - roughly 100 yards away from the 1S sub pillar of pillar 169 inside Bangladesh. At that time he went there and saw 6/7 BSF members standing beside the barbed wire fence at the Daulatpur border. After some time the BSF members got on the patrol jeep and left the area. He apprehends the BSF shot at Sanaul. He informed the Operation Officer of 9 Border Guard Battalion Major Mohammad Abu Nayeem Khondokar about Sanaul's death. Major Nayeem quickly ordered him to send a letter to Daulatpur BSF camp in India on behalf of BGB protesting the killing and for arranging a flag meeting. The flag meeting was held on July 25, 2012 from 6:00 to 6:30 pm near the 170 main pillar. The Daulatpur Camp commander of BSF India AC Naven along with 15 other BSF members and Major Nayeem on behalf of Bangladesh BGB Shingnagar camp and six other BGB

members were present at the flag meeting. At the flag meeting he strongly protested the killing of Sanaul by BSF firing and wanted to know the reason behind the action. However, BSF's Daulatpur Camp commander AC Naven denied the allegation and said that miscreants must have shot Sanaul.



1S sub pillar of pillar 169

**Sub Inspector (SI) Rofikudoulah, Shibganj Police Station, Chapainawabganj:**

SI Rofikudoulah told Odhikar that on July 25, 2012 at around 8:30pm Sanaul's father Abdur Rashid filed a case under section 302/34 of the Penal Code 1860<sup>1</sup>. Case number: 62, Date: July 25, 2012. SI Mohammad Ruhul Amin of Shibganj Police Station is investigating the case.

**SI Mohammad Ruhul Amin, Shibganj Police Station, Chapainawabganj:**

SI Mohammad Ruhul Amin informed Odhikar that on July 25, 2012 at around 5:00pm, he saw Sanaul lying beside the ditch used to irrigate the paddy field situated on the northeast of 1S sub pillar of pillar 169 at the Shingnagar border. He prepared the inquest report of the body. He found a small circular wound under the right eye and another wound under the ear midway to Sanaul's shoulder which he mentioned in his inquest report. Afterwards, Sanaul's body was sent to Chapainawabganj Adhunik Sadar Hospital. He also informed that they handed over the body to his family after post mortem.

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<sup>1</sup>Sections 302 and 34 of the Penal Code deal with punishment for murder, a criminal act is done by several persons, in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone respectively.

**Dr. Asit Sarkar, RMO, Adhunik Sadar Hospital, Chapainawabganj:**

Dr. Asit Sarkar told Odhikar that on July 26, 2012 at around 10.30am Sanaul's dead body was brought to the hospital from Shibganj Police Station. He identified two wounds in Sanaul's body. He said that there was a wound on the region under his right eye (which in medical terms is called the maxillary region of the face) through which a bullet had entered. The spot through which the bullet had exited is called the upper point of right side of neck and there was a wound there as well showing that the bullet had indeed left his body through that region. He said that he saw a hole from the point bullet entered to the point it exited. He claimed that Sanaul had died, most certainly from the gunshot and he mentioned it in the post mortem report. At around 1:20pm he completed the post mortem of Sanaul and handed over the body. Sanaul's post mortem number is 32/12. On July 28, 2012 after completing the post mortem, the report was sent to Shibganj Police Station.

**Dhoroni, Morgue assistant, Adhunik Sadar Hospital, Chapainawabganj:**

Dhoroni informed Odhikar that on July 26, 2012 at around 10:40am, Sanaul's body was brought to the morgue. He saw two wounds on Sanaul's dead body. One of them was under his right eye and another one was on the left side of his shoulder, under the left ear.

**Odhikar's view:** The killing of Bangladeshi citizens by BSF firing at the Bangladesh-India border is increasing at an alarming rate. Odhikar expresses grave concern over this matter. Odhikar requests the National Human Rights Commission to take this matter under consideration and at the same time urges the government to conduct a fair investigation regarding the death of Sanaul by BSF firing. Odhikar believes that the Bangladeshi government should be more active about stopping the torture and killings of Bangladeshi citizens by the BSF and should acquire compensation from the Indian government for the victim's family.

**-End of Report-**