



Fact finding duration: July 4 to 13, 2016

Report publish date: October 16, 2016

## **Allegation of torture to a school boy after detaining him at Jessore Kotowali Police Station**

Fact finding report

Odhikar

On June 8, 2016 at around 2:30 pm, Sub-Inspector (SI) Biplob Hossain, In-charge of Upashahar Police Outpost, arrested Ainul Haque Rohit (16), a student of class X at Badsha Faisal Islami Institute, from his house. Ainul Haque Rohit is the son of Kamal Hossain and Juli Begum, residents of Sector- 1, Upashahar Union Parishad- 5 under Jessore Sadar Upazila. Rohit's family alleged that Rohit was detained and tortured at Kotowali Police Station till June 9, 2016 and then released on a written bond after a taka 50,000 bribe was given to the police.

During fact finding it was found that on May 18, 2016 the motor-bike of a man called Nazim Ahmed had been stolen from House No. 158, Block- D, Sector- 1, Jessore Sadar Upazila. The incident was recorded on a close circuit camera (CCTV) set up at that building. On May 20, 2016 Nazim Ahmed filed a General Diary (GD) (GD no. 1078) with Jessore Kotwali Police Station in this regard. The investigation officer of that GD, SI Biplob Hossain watched the CCTV footage and on June 8, 2016 at around 2:30 pm, he arrested Rohit from his house and detained him in custody at Kotwali Police Station. In the evening after Iftar (breaking of fast during Ramadan), Rohit was taken to a room behind the room of the Officer-in-Charge (OC) of Kotwali Police Station. There, he was blindfolded and beaten on his knee, ankle, elbow, and wrist with a wooden rod for about an hour. His hands and legs were then put on the table and the top of the fingers and toes were beaten. They also beat him on the soles of his feet. After that, they took off his vest stuffed it in his mouth and poured water up his nose for 10 minutes. After that he was detained in the custody. After 30 hours of detention, on June 9, 2016 at around 8:30 pm, police took a bribe of taka 50,000 from Rohit's father Kamal Hossain and released Rohit on bond. Kamal Hossain alleged that police told Rohit and his family to come to the SP office on June 18 and on June 23, they were called to the house from where the motor-bike was stolen and were harassed there. Rohit's mother, Juli Begum alleged that her son had a mental breakdown because of the torture by police. He had become very afraid to go outside. She could not send him to school because of the police harassment.

Rohit and his family did not file any case against the police because of the fear of being harassed again.

The OC of Kotwali Police Station, Elias Hossain and SI Biplob denied the allegations made by Rohit and his family. They said that, as part of the investigation, Rohit was brought to police station as a suspect for questioning. After interrogation, Rohit was sent home and he was not tortured. Furthermore, Rohit's family offered money to the complaint to mitigate the matter. No bribe was taken. The news about the torture on Rohit had been published in different media and the police headquarter had ordered an investigation into the alleged incident. On August 2, 2016, Security Cell Inspector (Khulna), Shahidul Islam, member of the investigation team went to Jessore Kotwali Police Station and interviewed SI Biplob Hossain, victim Rohit and his family members.<sup>1</sup>

Odhikar conducted a fact finding mission into the matter. Odhikar interviewed the following:

- Victim, Ainul Haque Rohit
- Relatives of victim
- Eyewitnesses
- Doctors who treated victim
- Local public representative
- The owner of the stolen motor-bike and
- Members of the law enforcement agency



Ainul Haque Rohit; Photo: Odhikar

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<sup>1</sup> Bangla Tribune August 3, 2016 <http://www.banglatribune.com/country/news/127835/>

**Ainul Haque Rohit (16), Victim:**

Ainul Haque Rohit told Odhikar that on June 8, 2016 at around 2:30 pm, SI Biplob Hossain arrested him from his house. He was taken to the Upashahar Police Outpost, where a policeman told SI Biplob to take Rohit directly to the police station. At around 3:00 pm, he was taken to Jessore Kotwali Police Station where he was brought to the Officer-in-Charge (OC) room. The OC Elias Hossain told SI Biplob to put Rohit in the custody cell. Rohit asked them why they were putting him in custody but got no answer. After half an hour alone in the custody cell, SI Biplob returned and asked him to confess to the stealing of a motor-bike. But Rohit said that he had not stolen it. SI Biplob then left. At around 7:00 pm, Rohit was handcuffed and taken to a room behind the room of Officer-in-Charge (OC) of Kotwali Police Station. SI Biplob and a few plain clothed policemen were present there. They showed Rohit the footage of a motor-bike being stolen which was recorded on a CCTV. The computer operator played the video twice. At the first time, the operator said that there was no similarity between Rohit and the thief in the video. Later, he said that there was some similarity in the two faces.



Torture mark on Rohit's body; Photo: Odhikar

After that they blindfolded Rohit and tied his hands behind his back and beat him with a stick. At that time, SI Biplob was sitting on a chair and asked Rohit to confess to the theft. But Rohit did not confess. That is why, they started to beat him on his knee, ankle, elbow, wrist, and also on the top of his fingers and toes. After one hour of beating, they untied Rohit, who fell to the floor. After that some policemen pulled off his vest and stuffed it into his mouth and poured water into his nose. After 10 minutes, a woman came and said that "Rohit had been with someone called Badsha. After that two policemen started beating him again and asking about Badsha's identity. But Rohit replied that he did not know anyone named Badsha. He did not even know the woman who comes into the room. After a few more minutes of torture, they put him back into the custody cell. Rohit was released on a written bond under supervision of his father on June 9, 2016 at around 8:30pm.



House of Rohit, from where he was arrested; Photo: Odhikar

**Mohammad Kamal Hossain, father of Rohit:**

Mohammad Kamal Hossain informed Odhikar that, on June 8, 2016 at around 3:00 pm, his wife called him on his cell phone and told him that police had arrested Rohit. At around 3:30 pm, he went to Upashahar Police Outpost, but did not find his son there. A policeman of the outpost told him to go to Kotwali Police Station. At around 4:00 pm, he went to the police station and saw his son, Rohit sitting inside the custody cell. A constable who was on duty at the gate, told him that they would not release Rohit. The Constable asked Kamal to buy some Ifter if Rohit was fasting and some medicine. When he asked the constable why he should buy medicine, the constable said that Police might beat Rohit. After Ifter, at around 7:00 pm, he went to police station with some food for his son, but he did not see Rohit in the custody cell. A constable, who was guarding the gate, told him that Rohit was being interrogated. He went home. At around 8:30 pm, he went to the police station again, with dinner for his son. He saw Rohit lying on the veranda of the police station. He went to Rohit who told him that police tortured him. At that time, there were some marks of torture on Rohit's body. He tried to feed Rohit but Rohit could not eat because of the severe pain. A policeman told Kamal to buy some pain killers from a medical shop outside the police station. After that he called Ehsanur Rahman Litu, Chairman of Upashahar Union Parishad- 5, on his cell phone and told him the details of the incident and requested him to release his son. At around 10:00 pm, Litu arrived the police station but the OC Elias Hossain did not heed him. On June 9, at around 7:30 am, he went to the police station again. At that time, Rohit was sitting in a corner in the custody cell. Seeing his father, Rohit came near the gate of the cell leaning on the shoulders of two other detainees. At around 9:00 am, S.I Biplob came to the police station. Kamal requested him to release his son, but Biplob told him that a similarity between Rohit and the thief, was found in the video. Thus, it was not possible to release Rohit. At around 10:00 am, Chairman Litu came to the police station again and Kamal Hossain met the OC with Litu. The OC told him that as there was a



similarity between Rohit and the thief found in the video while stealing motor-bike, it would take taka 1,30,000 to release Rohit. Kamal Hossain told the OC that he was very poor and was unable to give the money. Then the OC said that “I do not need money. You can contact SI Biplob.” After that he spoke with SI Biplob. SI Biplob also demanded taka 1,30,000. Kamal agreed to give taka 50,000. Biplob told Kamal to bring money to a sweet shop named ‘Bonophul’ in the evening.<sup>2</sup> On June 9, 2016 at around 8:00 pm, Kamal took a loan of taka 50,000 from his relatives and went to ‘Bonophul’ sweet shop which was located at the main intersection of the town. Kamal gave SI Biplob fifty thousand taka. After that, SI Biplob took them to the OC’s room and Kamal signed a bond and at around 8:30 pm, police released Rohit.



‘Bonophul’ sweet shop at the intersection of Jessore; Photo: Odhikar

Kamal Hossain took Rohit to a local doctor then to Jessore Medical College Hospital for treatment. On June 18, 2016 at around 11:00 am, two policemen of the Detective Branch (DB) of Police, came to his house and said that police had called Rohit to the office of the Superintendent of Police (SP). They took Rohit to the SP office with them in their car. SP Anisur Rahman called him in his room and watched the video, but he did not find any similarity between Rohit and the thief. Later, the SP instructed that Rohit to be released.



Kotwali Plice Station where Rohit was tortured; Photo: Odhikar

<sup>2</sup> Audio record of taking bribe by SI Biplob

**Juli Begum, Rohit's mother:**

Juli Begum informed Odhikar that about 15 days before the holy month of Ramadan, at around 8:00 pm, SI Biplob of Upashahar Outpost, came to their house in plain clothes. There, SI Biplob asked Rohit, who had answered the door, if this was Rohit's house. When Rohit said yes, SI Biplob told him to call his mother. During the conversation, Juli Begum came into the room. Rohit gave his identity in front of his mother. SI Biplob called them out on the road and showed them a video clip of a motor-bike theft, which was not clear enough as it was played on his cell phone. SI Biplob asked Juli Begum whether the thief was Rohit or not. She claimed that the boy in the video footage was not her son. Then, SI Biplob showed the same video to Rohit and asked the same question. Rohit also claimed that it was not him. SI Biplob asked Rohit to walk. Juli Begum tried to protest and SI Biplob scolded her. Some locals approached them and Biplob showed them the video too, but everybody said that the boy in the footage was not Rohit. After that Biplob went away telling Juli Begum that Rohit should confess as he was now their target. After that on June 8, 2016 at around 2:30 pm, uniformed SI Biplob along with a few plain clothed policemen came to their house with three motor-bikes. They forcefully pushed the door open and entered the yard of the house. Hearing the noise, Rohit went to the veranda and told her about police. SI Biplob asked Rohit to put on a shirt and come with them. When she asked Biplob why they were taking Rohit with them, Biplob replied her that they will compare a video footage with Rohit and after that they will release him. She called her husband and informed him. On June 9, 2016, Rohit's father Kamal Hossain paid taka 50,000 and released her son from the police station after signing a document. On June 23, 2016 at around 2:00 pm, SI Biplob along with a few policemen came to their house and tried to take Rohit away with them. She protested by shouting. Neighbors also arrived and protested. Juli Begum said that Rohit was so afraid that he could not go outside because of mental stress.

**Mazeda Begum, Neighbor and Eyewitness:**

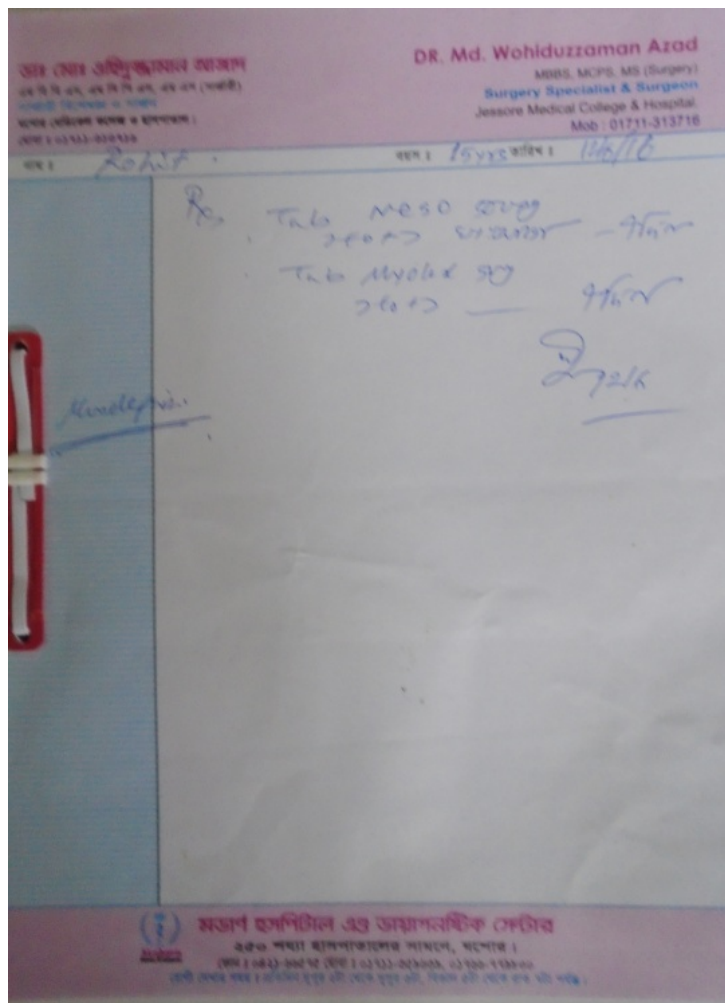
Mazeda Begum told Odhikar that on June 23, 2016 at around 2:00 pm, she heard Juli Begum shouting. She saw an altercation between SI Biplob and Juli Begum over arresting Rohit. At that time, Nazim Ahmed, the owner of the stolen motor-bike was also present. Mazeda Begum protested the repeated harassment on the family. At one stage, she and some other locals along with SI Biplob went to the place of occurrence from where the motor-bike was stolen. Rohit was told to walk as the thief had walked in the video and that was recorded as well. But there was no similarity found in the gait of Rohit and the thief.

**Ehsanur Rahman Litu, Chairman, Upashahar Union Parishad- 5, Jessore:**

Ehsanur Rahman informed Odhikar that on June 8, 2016 police arrested Rohit from his house. Rohit was detained in Kotwali Police Station and tortured till June 9, 2016. Rohit had been released after paying a taka 50,000 bribe to the police. Ehsanur Rahman went to the police station three times and lobbied with police for the release of Rohit. Police showed him the motor-bike theft footage but there was no similarity between Rohit and the thief. Ehsanur Rahman met Rohit while he was in custody. Rohit showed him the marks of torture on the different part of his body.

**Robiul Hassan, owner of Hassan Pharmacy:**

Robiul Hassan informed Odhikar that he is the owner of Hassan Pharmacy at Shafiullah Mor in the Upashahar area and he is also the village doctor in that area. On June 9, 2016 at around 10:00 pm, Rohit's father Kamal Hossain asked him to visit his house. Rohit and his family members informed Robiul that Rohit had been tortured by police. He saw wounds and bruises in different part of Rohit's body including a knee, upper and lower side of elbows and on his back. He gave primary treatment and referred Rohit to Jessore Medical College Hospital.



Prescription of Rohit; Photo: Odhikar

**Dr. Wohiduzzaman Azad, surgeon, general and laparoscopic services, Jessore Medical Collage Hospital:**

Dr. Wohiduzzaman Azad informed Odhikar that on June 12, 2016 Rohit was brought to him for treatment. Rohit told him about pain in different parts of his body. When he asked Rohit, how he got hurt; at first, he did not want to disclose the matter, but later, Rohit told the doctor that he was arrested a few days ago under suspicion of motor-bike theft and tortured by police in custody.

**Nazim Ahmed, owner of the stolen motor-bike:**

Nazim Ahmed told Odhikar that his motor-bike was stolen from his house on May 18, 2016. The incident was recorded on a CCTV set up in the building. He had filed a GD with Jessore Kotwali Police Station and submitted a copy of the recorded video footage. He heard that during investigation, police arrested a boy named Ainul Haque Rohit and later he was released. He got to know from different media that Rohit was tortured in the police station and was released only after giving a bribe. He did not know any more than that.

**SI Biplob Hossain, In-charge, Upashahar Police Outpost, Jessore:**

SI Biplob Hossain told Odhikar that he was the investigation officer of a GD filed for the theft of a motorbike. The owner of the motor-bike, Nazim Ahmed submitted CCTV footage. Nazim Ahmed marked Ainul Haque Rohit as a suspect. During investigation, according to the direction of the OC of Kotwali Police Station, Elias Hossain, Rohit was brought to the Police Station at noon on June 8, 2016 to see if there was any similarity to the thief in the video footage and on the same day he was sent home. He denied the allegation of torture. After bringing Rohit to the police station, Rohit's family requested Biplob to negotiate the matter with the complainant by exchange of money. Based on that request, Biplob talked with the complainant who demanded taka 100,000 for negotiation. Rohit's family called Biplob on his cell phone after getting out of the police station. They told him that they had collected taka 48,000 after selling everything in their house and proposed that he negotiate the matter by fixing a sum of taka 50,000. SI Biplob asked Rohit's family to come to the police station and discuss the matter. He claimed that Rohit's family only recorded a part of the conversation and published it for propaganda.

**Elias Hossain, Officer-in-Charge, Kotwali Police Station, Jessore:**

Elias Hossain told Odhikar that there was some similarity between Ainul Haque Rohit and the thief, in the video footage. That is why, the investigating officer of the case, SI Biplob brought Rohit to the police station for interrogation and after that he was sent home. There was no incident of torture



inside the police station. According to him, Rohit was a child, so he was interrogated carefully. Allegations of detention and torture were completely false. When OC Elias Hossain was asked about demanding money SI Biplob, he said that he did not know anything about this matter.

**Odhikar's comments:**

Odhikar conducted a fact finding mission into the incident of torture on 16 year old student, Ainul Haque Rohit. During the fact finding mission, Odhikar interviewed victim, victim's relatives, eyewitness, local public representative, doctor, complainant and alleged members of the law enforcement agency. The victim family alleged that SI Biplob arrested Rohit from his house and detained him at Kotwali Police Station and tortured him. Rohit was released after paying taka 50,000 bribe, but the police denied the allegation. The victim family had an audio recording of the demanding of bribe by SI Biplob. Odhikar demands a fair and impartial investigation of the incident. Torture is prohibited by the Constitution of Bangladesh, Torture and Custodial Death (Prevention) Act 2013 and the International Convention against Torture.

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