



**Police allegedly tortured Jonayed Hossain Leon, General Secretary of Chhatra Dal of Kapasia upazila unit in Gazipur district**

*Fact finding Report*

**Odhikar**

Junayed Hossain Leon (30), son of late Abdul Gani Master and Ismat Ara Begum and a resident of Targaon village under Kapasia Upazila in Gazipur District was tortured in police lockup after he was arrested on November 25, 2013 from the house of late Mosarrof Hossain at Pabur village in Gazipur, alleged Shamima Chowdhury, wife of Junayed Hossain Leon.

During the fact finding mission, it was found that, Junayed Hossain Leon was the General Secretary of Chhatra Dal<sup>1</sup>, Kapasia Upazila unit. Apart from politics he was also the Managing Director of a private transport company named 'Pother Sathi Paribahan'. On November 25, 2013 at around 8:30am his family members went to Kapasia Police Station after hearing the news of Leon's arrest. But police members of the Kapasia Police Station did not allow them to enter the Police Station. On that day at around 1:30pm, with the permission of the Officer-in-Charge, Mohammad Ahsan Ullah, Leon's cousin Arif Sarkar Rubel got a chance to see Leon where Leon informed him that he was beaten by the members of police of Kapasia Police Station in his hands, legs and in different parts of his body soon after he was arrested. At around 2:30pm, when Leon fell sick, two policemen led by Sub Inspector (SI) Kutub Uddin took him to Kapasia 50 Bedded Health Complex by a police van. As Rubel was aware of that incident, he also followed them to the hospital, but SI Kutub Uddin did not let him go inside the emergency department of the hospital. He also noticed that SI Kutub Uddin was directing two of his fellow policemen to write in the emergency log entry that Leon got hurt during arrest while trying to resist his arrest. After returning from the hospital a man who claimed to be a police source approached Rubel and, on behalf of SI Nazmul, demanded 50 thousand taka from him. If he was unable to provide that money, Leon will be charged in different cases. SI Nazmul Huda told that on November 25, 2013 at around 4:00am, the police arrested Leon from the house of late Mosarrof Hossain at Pabur village in Gazipur as an accused of the case no. 14[11]13. The case was registered from a General Diary numbered- 920, dated 25/11/2013. He also told that Leon got hurt during his arrest as he was trying to resist his arrest. Besides this, he denied to say something about

<sup>1</sup> Student wing of Bangladesh Nationalist Party (BNP)

Leon's torture after he was arrested. Medical Officer Khaja Habib Selim of Kapasia 50 Bedded Health Complex described these marks on Leon's body as a result of being hurt by some blunt weapons. Therefore, blood clot was visible in different parts of Leon's body. That is why he gave some pain killer injections and other related medicines to Leon during treatment. During the afternoon, Leon was sent to Gazipur District Jail. Leon was released on bail on February 23, 2014 after nearly three months in jail. He is currently on bail but the two cases filed by police against him are ongoing.

Odhikar conducted a fact finding mission into this matter. During this fact finding mission Odhikar spoke with:

- Relatives of Junayed Hossain Leon
- Medical Officer and
- Members of law enforcement agencies



Photo: Junayed Hossain Leon

#### **Shamima Chowdhury (24), Leon's wife**

Shamima Chowdhury informed Odhikar that her husband was the General Secretary of the Kapasia Upazila unit Chhatra Dal and at the same time, he was also the Managing Director of a private transport company named 'Pother Sathi Paribahan'. On November 24, 2013 at around 6:00pm, Leon left his house to go to the Pother Sathi Paribahan Office at Targaon. At around 11:00pm, Leon called her in her cell phone and informed her that, as BNP announced a blockade programme on November 25, he would not be able to come home that night. As a result, he will be staying at his uncle's house at Pabur village. On November 25, 2013 at around 8:30am, she came to know from one of her neighbours named Majeda Khatun that, Leon, Arman along with two others were arrested by the police of Kapasia Police Station from Leon's uncle's house at Pabur village. After hearing the news she quickly informed it to her father, Sakhawat Hossain Chowdhury. At around 10:00am, her father went to Kapasia Police Station. Later, she came to know from her father that Leon was tied up and beaten all over his body by the police after being arrested. Leon was sent to jail after receiving treatment in Kapasia 50 Bedded Health Complex. She alleged that the police used to come to their house to know about Leon before every political programmes were called by BNP. Several times in

the past, the police came to their house during midnight and forced them to open the gate. If they did not, then the police members would verbally abuse the women and seniors of the house. Leon was released on bail on February 23, 2014 after nearly three months in jail. He is currently on bail but the two cases filed by the police against him are ongoing.

**Sakhawat Hossain Chowdhury (52), Leon's father-in-law:**

Sakhawat Hossain Chowdhury told Odhikar that on November 25 at around 9:30am, his wife Humaira Chowdhury informed him that, Leon was arrested by the police of Kapasia Police Station early in the morning of November 25, 2013. Hearing that news, at around 10:00am, he, along with one of his neighbours, Rafiqul Islam Chowdhury, went to Kapasia Police Station. As soon as he requested to get inside the station premises, the members of the police who were on duty in the gate prevented them from going inside. At one stage, the police members started to shout at him. He managed to see from a distance that Leon, along with someone else, was lying down inside the Police Station. At around 2:30pm, he saw from outside that two policemen dragged Leon from the Police Station and took him into a pickup van. After a while, he got to know from some local people that Leon was taken to Kapasia Health Complex for treatment by that pickup van. He remained in front of the Police Station. At around 4:00 pm Leon was brought back to the Police Station by a pickup van.

**Arif Sarkar Rubel (35), Leon's cousin**

Arif Sarkar Rubel informed Odhikar that, on November 25, 2013 at around 8:30am, Leon's mother informed him that Leon was arrested by the police of Kapasia Police Station early in the morning of November 24, 2013. Hearing this news, he rushed to Kapasia Police Station and introduced him to the sentry. The Sentry told him to take permission from SI Kutub Uddin. But SI Kutub Uddin did not allow him to meet Leon. He waited outside the Police Station for a long time. At around 11:00am, he managed to get into the Police Station by the help of another policeman and meet Leon. He saw that Leon was laid down on the floor. When he asked Leon if he had taken his breakfast, at that time, one police officer came and pushed him away from the cell. Later on, at around 1:30pm, he managed to get permission from the Officer-in-Charge, Ahsan Ullah to see Leon. There Leon informed him that he was brutally tortured soon after he was arrested. After talking for 4/5 minutes in front of police lockup, another policeman came and told Arif to go away. Then he waited outside the Police Station. At around 2:30pm he saw that 2/3 policemen dragged Leon from the Police Station and took him inside a pickup van. He got to know that Leon was being taken to Kapasia Health Complex for treatment because his health condition deteriorated. After hearing this, he also followed the pickup to the Kapasia Health Complex, but he was stopped by SI Kutub Uddin in front of the emergency gate of the hospital. He also saw that SI Kutub Uddin was directing two of his fellow policemen to write in the emergency log book that Leon got hurt during arrest while he was trying to resist his arrest. Later, he got a chance to enter the emergency department of the hospital. He heard that the duty doctor was

suggesting the police to take Leon for conducting an X-Ray of his left wrist. In the hospital, he got to know from Leon that, he was blindfolded and beaten at the Police Station. Along with Leon, another accused named Arman was also beaten by the police. After that, Leon was taken back to the Police Station. Arif also came back to the Police Station. SI Kutub Uddin told Arif that, if anyone was interested to do politics in this area, they should communicate with police beforehand. There is no one powerful then the police. No one will be allowed to do politics without having an agreement with the police. At around 4:00pm, a man approached Arif, told him that he was a police source and told him that Leon will not be charged in any case if he pays 50 thousand taka. Leon will be shown only as a suspected detainee. If they were unable to provide that money, at least 5 different cases under Arms Act, Narcotics Act, Explosive Substance Act etc will be filed against Leon. That man also informed him that SI Nazmul will be present there and will take the money directly. He refused to provide him that money. In the evening, Leon was sent to jail. Arif could not tell the name of that police source.

#### **SI Kutub Uddin, Kapasia Police Station, Gazipur**

SI Kutub Uddin informed Odhikar that Junaid Hussain Leon was arrested based on the specific allegations of violence during the political movement of BNP and Jamaat. He was slightly injured during the arrest while he tried to resist his arrest. On November 25, 2013, as per order by the Officer-in-Charge Ahsan Ullah, he took Leon to Kapasia Health Complex for treatment. After the treatment, with the doctor's permission, he brought Leon back to the police station. SI Kutub Uddin refused the allegations of torture on Leon in lockup when he was asked about it.

#### **SI Nazmul Huda, Kapasia Police Station, Gazipur**

SI Nazmul Huda told Odhikar that he filed a case in this connection (case numbered 21) on November 25, 2013. His statement is the same as mentioned in the FIR<sup>2</sup>. He refused to say anything else other than what was mentioned in the FIR. In the FIR he mentioned that the case was registered from a General Diary, numbered 920, dated 25/11/2013 and as per the case (14[11]13) the police arrested Leon, the son of late Abdul Gani Master of Torgaon village, Mohammad Arman, the son of late Abdul Baten of Torgaon Poshchimpara village; Mohammad Faruque, the son of Abul Hashem of Bhatpara village; and Mohammad Sarwar Hossain, the son of Mosharaf Hossain of Pabur village from Mosharaf's house on November 25, 2013 at around 4:00am. At the time of arrest, Leon got hurt when he tried to resist his arrest. During that operation, the police recovered some local arms from the spot. After that, SI Nazmul Huda filed a case against Leon, Arman, Faruque and Sarwar under Section 19(Cha) of the Arms Act, 1878. SI Nazmul had denied the allegations of torture on Leon and others in lockup when he was asked.

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<sup>2</sup> First Information Report

**Mohammad Ahsan Ullah, Officer-in-Charge, Kapasia Police Station, Gazipur**

Mohammad Ahsan Ullah informed Odhikar that Leon was arrested as he was accused in different cases. He said that after being arrested Leon had not been tortured in police lockup. But Leon was taken to Kapasia Health Complex for treatment because he felt sick while he was detained in police lockup.

**Dr. Khaja Habib Selim, Medical Officer, 50 Bedded Health Complex, Kapasia, Gazipur**

Khaja Habib Selim told Odhikar that on November 25, 2013 at around 2:45pm, SI Kutub Uddin from Kapasia Police Station brought a man named Junayed Hossain Leon to the Emergency Department of the health complex for treatment. He saw several marks of injuries around Leon's hands, legs and different parts of the body. He assumed that Leon was hurt by blunt weapons. After observing Leon's condition he gave Leon a pain killer injection and some other medicines. He also suggested SI Kutub Uddin to arrange an X-Ray for Leon's left wrist.

**Odhikar's statement:**

Torture is strictly prohibited in Bangladesh Constitution, Universal Declaration of Human Rights and even in international conventions like Convention against Torture. Despite that, the incidents of torture are increasing at an alarming rate. In order to stop torture, Odhikar urges the government follow the obligations under the Constitution and international conventions. Moreover, Odhikar demands the government to implement the newly enacted Torture and Custodial Death (Prohibition) Act, 2013. At the same time Odhikar also demands the government take stern legal action immediately against the responsible police officers who tortured Junayed Hossain Leon through proper and impartial investigation.

**-The End-**