

Faruq Hossain Kamal was allegedly tortured to death in the custody of Kafrul Police Station of Dhaka Metropolitan City

Fact Finding Report
Odhikar

On February 19, 2012 at around 5.00 pm the police of Kafrul Police Station arrested Faruq Hossain Kamal (37) from the Shimultola turning of Boubazar area at North Kafrul. Faruq Hossain Kamal was the son of late Zamal Haque and late Safura Begum and a resident of 591, North Kafrul in Dhaka Metropolitan City. Police allegedly tortured Kamal while he was in custody. On February 21, 2012 police sent him to the Court of the Chief Metropolitan Magistrate and asked for remand. The Court did not grant remand and sent Kamal to Dhaka Central Jail. Faruq fell ill in the prison. On March 28, 2012 the Jail authority admitted Kamal to the Dhaka Medical College Hospital for treatment, but he died there at approximately 11.00 am on that day.



Photo: Faruq Hossain Kamal

Odhikar conducted a fact finding and interviewed:

- Relatives of Faruq Hossain Kamal
- Jail authority of Dhaka Central Jail
- Doctor, who conducted the post mortem, and
- Members of law enforcement agency

Parvin Haque (28), Kamal's younger sister

Parvin Haque told Odhikar that her father's house was at Shahebganj village under Faridganj Police Station in Chandpur district. She lives at North Kafrul in Dhaka with her younger sister Kohinur Begum, elder brother Kamal and Kamal's daughter Shupti Zahan Mim (12). Parvin Haque also informed that Kamal was the owner of a Contracting Firm named 'Haque & Sons'. Sub Inspector (SI) Nuruzzaman of Kafrul Police Station tried to extort 10,000 taka from Kamal, who was unable to pay the money. As a result, SI Nuruzzaman often threatened to arrest him within 24 hours and tortured him. On February 19, 2012 at approximately 8.00 pm, Kamal

called Parvin's cell phone and told her that SI Nuruzzaman had arrested him and kept him in the police station the custody. Kamal asked her to come to the police station.

Parvin then went to the Kafrul Police Station with her sister Kohinur Begum and sister's husband Mohammad Jamiluddin Azad at approximately 11.00 pm. The police did not allow them to see Kamal. They waited at the police station. On February 20, 2012 at approximately 12.30 am she heard Kamal screaming and the sound of beating. She again requested the duty officer to allow her to meet Kamal, but she was refused. The duty officer told them to leave the police compound. After a long wait she got the chance to meet Kamal by bribing the police officer with Tk. 100. Kamal informed Parvin that while he was drinking tea at the tea stall of Abdur Razzak in North Kafrul, SI Nuruzzaman, along with two policemen, arrested him and took him to the police station. When Kamal asked for the reason of his arrest, SI Nuruzzaman told him that there was an arrest warrant against him. SI Nuruzzaman took away his cell phone. In the police station, policemen beat him and SI Nuruzzaman wanted 50,000 Taka from him. SI Nuruzzaman threatened him that if the money was not given, he would be tortured and killed. Kamal requested Parvin to give SI Nuruzzaman the money and get him released. But Parvin, in spite of her best efforts, could not collect the amount and was unable to release Kamal.

On February 20, 2012 at approximately 9.00 am Parvin went back to the police station to give Kamal breakfast. Kamal informed her that SI Nuruzzaman told him that Nuruzzaman would kill him if the money was not given. Then the duty officer informed her that Kamal would be taken to the court and told her to go to the court. She went to the Chief Metropolitan Magistrate Court and found that Kamal had not been brought there. Later at approximately 7.00 in the evening she returned to the Kafrul Police Station, but the police officers misbehaved with her and did not allow her to meet Kamal.

On February 28, 2012, at 10.48 am, an unknown person called Parvin's cell phone and told her that Kamal was very sick and was admitted to ward 218 of Dhaka Medical College Hospital for treatment. If she wanted to meet Kamal she should go to the hospital by 1.00 pm. She and Kohinur, went to ward 218 of Dhaka Medical College Hospital at around 12.00 pm and inquired for Kamal, but he was not there. Then she called the cell number of the person who had informed her about Kamal. But she found the number switched off. She returned to ward 218 and found a police officer who informed her that Kamal had died few moments ago and his body was at the morgue. The policeman took her to the morgue and she identified Kamal's body. Parvin saw that the body was bloated and dark bruises were on the legs. She contacted a doctor of the Forensic Department of Dhaka Medical College Hospital to arrange the release of Kamal's body. The doctor asked for the document of approval of the Jailer or from prison. She went to Masudur Rahaman, Jail Guard of Dhaka Central Jail to arrange for the necessary documents.

Masudur Rahaman informed her that according to the prison record, police from Kafrul Police Station sent Kamal from police station to the court on February 21, 2012, but the police returned Kamal to the prison on February 22, 2012. The jail authority, noticing the bad physical condition of Kamal, admitted him to the jail hospital. On February 28, 2012 the jail authority sent Kamal to the Dhaka Medical College Hospital as his physical condition was deteriorating.

Parvin returned to Dhaka Medical College Hospital morgue with necessary document of approval. On February 29, 2012 after the post mortem, she returned with the body of Kamal to Shahebganj village under Faridganj Police Station of Chandpur district. There Kamal was buried at the family graveyard.

Anwarul Amin Chowdhury Harun (36), friend of Kamal

Anwarul Amin Chowdhury Harun told Odhikar that his house was just beside the Kafrul Police Station and Kamal was a regular visitor. One day, Kamal informed him that SI Nuruzzaman wanted 10,000 taka, but he could not arrange the amount. On February 20, 2012 Kamal's sister, Parvin called on his cell phone and informed him that SI Nuruzzaman had arrested Kamal at approximately 6.00 pm from Bhandary's tea stall at Shimultola turning of Boubazar area in North Kafrul. Later he came to know from Babu, who acted as a police informant, that at approximately 6.00 pm, while Kamal was drinking tea at Bhandary's tea stall, SI Nuruzzaman arrested him. On February 28, 2012 Parvin informed him that Kamal had died at Dhaka Medical College Hospital. He went to the hospital and saw Kamal's dead body, which was bloated and dark marks were on the legs. Anwar assumed that Kamal had died due to torture.

Mohammad Ibrahim Khalil Rony (30), Kamal's neighbour

Mohammad Ibrahim Khalil Rony, told Odhikar that he came to know from Kamal's sister Parvin that Kamal had been taken to the Kafrul Police Station. On February 19, 2012 at night he met with Kamal in the police custody.

Abdur Razzak Bhandary (60), eye witness

Abdur Razzak Bhandary told Odhikar that on February 19, 2012 at approximately 6.00 pm Kamal was drinking tea at his tea stall, as was usual. Then he saw three men with short hair come next to Kamal, and a few moments later, he saw Kamal leaving with them.

Abdul Latif, Officer in Charge, Kafrul Police Station, Dhaka Metropolitan Police, Dhaka

Abdul Latif told Odhikar that he could not say when Faruq Hossain Kamal had been arrested and brought to the police station. He said that SI Nuruzzaman might have the right information. There was an extortion case against Kamal and for that reason he had been arrested. Abdul Latif added that he did not know anything about the alleged torture on Kamal.

Sub Inspector Nuruzzaman, Kafrul Police Station, Dhaka Metropolitan Police, Dhaka

Sub Inspector (SI) Nuruzzaman told Odhikar that on February 21, 2012 at around 7.00 pm he arrested Kamal for extortion, drug trafficking and assault. On February 22, 2012 he sent Kamal to the Dhaka Central Jail through the Court. He claimed that he did not of any torture on Kamal. He also claimed that Kamal suffered from epilepsy and heart disease and died because of that.

Sub Inspector Abdullah al Mamun, Shahbagh Police Station, Dhaka Metropolitan Police, Dhaka

Sub Inspector Abdullah al Mamun told Odhikar that on February 28, 2012 at noon a jail guard, Mohammad Roqunuzzaman, came to the police station and filed a case (case no. 14, Date: 28/02/12) of unnatural death. In the FIR (First Information Report) it was stated that at approximately 11.30 am a prisoner named Kamal (prisoner no. 5325/12) had died at the Dhaka Medical College Hospital while under treatment. Abdullah al Mamun then went to the morgue at approximately 2.20 pm and prepared the inquest report in presence of Executive Magistrate, Rabeya Akhtar, Deputy Commissioner's Office, Dhaka. He stated in the inquest report that the left wrist of the dead body was injured, there was a dark spot on the left side of the abdomen, the whole lower part of his body, from waist to feet was bloated and dark marks were all over. After preparing the inquest report, Constable Mohammad Ramzan Ali was given the responsibility to return the dead body to the family after post mortem.

Doctor Mohammad Kamrul Hasan Sardar, Assistant Professor, Forensic Medicine Department, Dhaka Medical College Hospital, Dhaka

Doctor Mohammad Kamrul Hasan Sardar told Odhikar that on February 28, 2012 at approximately 12.00 pm SI Mohammad Abdullah al Mamun and Constable Mohammad Ramzan Ali of Shahbagh Police Station brought a dead body of unknown man to the morgue. He conducted the post mortem (post mortem no. 369/12). Specimens were sent to the laboratory for viscera report. He refused to comment on the reason of death.

Odhikar's observation

During the fact finding mission Odhikar could not talk with morgue assistant as he was not available. Moreover, the Imam of the hospital mosque washed the dead body. Odhikar was unable to contact him as well.

Any kind of torture and ill-treatment is prohibited under the Constitution of Bangladesh. Article 35 (5) of the Constitution says "No person shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment". Bangladesh ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 5 October 1998. Odhikar demands effective steps to be taken by the Government in this regard. It also urges the government to take measures to curtail all acts amounting to torture, as per its mandate of 'Zero tolerance' towards torture, and investigate the allegations of extortion and torture against Sub Inspector Nuruzzaman in an unbiased manner.