



The death of Mohammad Mizanur Rahman, allegedly caused by BSF torture near the number 288 pillar of the border in Hakimpur of Dinajpur district

Fact-finding Report

Odhikar

On the night of February 14th 2012 at around 3.30 am, Mohammad Mizanur Rahman (32), son of Mohammad Mujibur Rahman and Mosammot Golsheyara Begum of West Khodaipur village, Nawabganj Thana, Dinajpur district was tortured near the border pillar number 288 at Aboiter in Hili Thana, Gangarampur district of India by the Border Security Force (BSF) members of the Agra camp. According to his family, after Mizanur's companions brought him to the Upazila Health Complex for medical help, he died at around 5.30 in the morning of the 14th February.

Due to Odhikar's fact finding missions it has been found that the witnesses whose names are published in Odhikar's border related fact finding reports and newspapers, are being harassed by the Bangladesh Police. Therefore, to ensure their security, the names of the witnesses have been withheld

Odhikar carried out a fact finding report at the scene of the crime. During the fact finding mission they interviewed:

- Mizanur's relatives
- Witnesses
- The doctor at the Hakimpur Upazila Health complex
- The doctor who carried out the post mortem and
- The members of the law enforcement agencies



Photo:MizanurRahman

Mosammot Ismat Ara (23), Mizanur's wife:

Mosammot Ismat Ara informed Odhikar that her husband was a rickshaw puller. They have a five year old son. On 13th February, 2012 at around 4.30 in the afternoon, her husband left the house on a bicycle. He did not return home that night. Mosammot said, on 14th February, 2012, at around 5 am, an unknown person called Rina Begum, the wife of Mizanur's maternal uncle on her cell phone and informed her that Mizanur had been in an accident and admitted at the Hakimpur Upazila Health Complex. Then Rina contacted some of Mizanur's acquaintances, one of whom told her that Mizanur had gone to India with them. They told her that, while returning from Mohali Para of Hili Thana, Gangaram District, near the number 288 border pillar, the BSF members of Agra Camp began chasing them. Although everyone else managed to run and cross the border to Bangladesh, Mizanur got caught by the BSF. Another of Mizanur's acquaintance informed her that, they went back to that area in India near dawn and saw that Mizanur was in a critically injured state. They took Mizanur to Hakimpur Upazila Health Complex.

Mosammot Ismat Ara further informed Odhikar that she went to Hakimpur Upazila Health Complex and found Mizanur's dead body on the floor of the emergency room. The people who were at the hospital at that time told her that Mizanur died shortly after he was brought to the hospital. She saw that Mizanur's right eye had come out of its socket and was bloody. Later police came from Hakimpur Thana and prepared the inquest report of the body and then sent Mizanur's dead body to Dinajpur Medical College Hospital's morgue for post mortem. She then went to the Hakimpur Police Station and filed a case as the complainant, against unnamed criminals. The case number is 16, dated 14/02/2012. After the post mortem, the local people brought the body of Mizanur home from the morgue at around 7pm. Mohammad Fazlu and Saeedul Islam of the area bathed the body. After the *Janaza*¹ at 11pm on 14th February 2012 the dead body was buried in Khotkhotia Krishtopur Prokash Khatehara graveyard.

Eye witness- 1:

Eye Witness-1 told Odhikar that he is a cattle businessman and brings cows to Bangladesh from India and sells those cows in the market after legalizing them and paying a tax to the government. On 13th February 2012 he talked to Hablu Mia (also called Bonge Miya) of Aboitor village, Hili Thana, Gangarampur District India. Hablu Mia told him that he had cows that can be taken to Bangladesh at night. Eye witness-1 was in a group of five cowherds. While crossing the border, five BSF members from the camp chased them. Although four people of the group managed to cross over to Bangladesh, Mizanur could not. Aminur Rahman, one of the members of the cowherd group told him that while they were escaping, he saw the BSF hitting Mizanur. Later he went back to that same area in India and found Mizanur critically injured; blood was coming out from his right eye. He assumed that the BSF members injured his eye using the bayonet of a rifle. Then Aminur and Mamun carried Mizanur on their shoulders and took him to

¹ *Janaza-A muslim final prayer for the deceased before burial*

Odhikar's Fact Finding Report/ MizanurRahman, killed by BSF torture-February 14, 2012/District-Dinajpur/Bangladesh

Ghashuria village in Bangladesh, while Hablu Mia went back to India. Eye witness-1 informed his other acquaintances about Mizanur's incident using his cell phone. Dildar Hossain of Haripukur Village, Hili Thana, India and Alamgir Hossain of Bagmara Village, Hakimpur Thana, Bangladesh had taken injured Mizanur to the Upazila Health Complex.

At around 7am in the morning of 14th February 2012, he got to know from the locals that Mizanur had died. He also added that when bringing the cows, if the BSF members receive less or do not get appropriate amount of bribe, they torture cowherds and kill them.

Eye witness-2 who saw Mizanur being tortured

Eye Witness-2 said that on 14th February 2012 the BSF members killed Mizanur in front of him. He said the police and BGB members are constantly coming to his house. To avoid being harassed by policemen he was unwilling to elaborate on the incident.

Mohammad Sultan Uddin (35), rickshaw-van driver:

Mohammad Sultan Uddin told Odhikar that at around 5am on 14th February 2012 Alamgir of Bagmara village and Dildar Hossain, a cattle businessman of Haripukur village Hili Thana, whom he was acquainted with came to his house and woke him up. When he came out of his house he saw an injured man lying on the Ghashuria village road. Dildar told him that his name was Mizanur and BSF members had beaten him. Mizanur's right eye was bleeding profusely. Dildar then told him to quickly take Mizanur to the hospital.

He then placed Mizanur on his rickshaw-van and took him to the Hakimpur Upazila Health Complex. He recalled that, injured Mizanur was constantly saying, "save me." He waited in front of the hospital gate with his van. Dildar and Alamgir left Mizanur at the hospital, came back and told him to go home with his van. He assumed that Mizanur died after he was taken to the hospital.

Mohammad Mozahar Ali , ward Assistant, Upazila Health Complex, Hakimpur, Dinajpur:

Mohammad Mozahar Ali informed Odhikar that at around 5.30 am on 14th February 2012 when he was getting ready for the Fazr (dawn) prayer, two people brought an injured man to the emergency unit. He went to call the doctor from the adjacent room. Upon returning, he found the patient lying on the floor and the two people who were with him had gone. He then noticed that his right eye was turned out and the wound was bleeding. Dr Hasibur Rahman examined the man and pronounced him dead. Then the police was informed. At about 6.30am, a woman came and identified the dead body as her husband whose name was Mizanur Rahman.

Dr. Golamur Rahman, Medical Officer,Upazila Health Complex,Hakimpur, Dinajpur:

Dr. Golamur Rahman told Odhikar that on 14th February 2012, two unknown men brought in an injured man into the emergency unit at dawn and left him there. Dr.Hasibur Rahman saw that the man was dead. He presumed that the man's right eye was turned out using a sharp weapon and that when his eye was hit; the inside of his head also got wounded. Later the resident medical office of the hospital Dr.Atikul Haque informed the police about the incident. After that, a woman named IsmatAra came to the hospital and claimed the dead body was her husband's. Mizanur Rahman's name was entered in the hospital register; and given registration number479/01. The police of Hakimpur Police Station came and prepared the inquest report of the dead body. At about 10.30am the police took the dead body to Dinajpur Medical College Hospital for post-mortem.

Mohammad Helal Uddin,Officer In-charge,Hakimpur Thana,Dinajpur:

Mohammad Helal Uddin told Odhikar that in the morning of 14th February 2012 Dr..Atikul Haque of Hakimpur Upazila Health Complex informed him that there was an unidentified dead body in the hospital. Upon receiving the news he sent Sub Inspector (SI) Muhammad Abu Bakr Siddique to the hospital.SI Muhammad Abu Bakr Siddique then received Mizanur's dead body and sent it to Dinajpur Medical College Hospital for post mortem. At that time Mizanur's right eye was turned out and there were bruises in various parts of his body. He got to know from the locals that BSF members had inflicted torture upon him and killed him. He further said that Mizanur's wife IsmatAra filed a case in the police station. The post mortem report has also arrived at the police station from the hospital.

SI Muhammad Abu Bakr Siddique,Hakimpur Thana,Dinajpur:

SI Muhammad Abu Bakr Siddique informed Odhikar that in the morning of 14th February 2012 he went to the Upazila Health Complex according to the Officer in-Charge's order. There he saw a woman sitting beside a dead body. The woman told him that the body belonged to her husband. He prepared the dead body's inquest report. In the report, he mentioned that the right eye was turned out and there might be bruises at various parts of his body. After the inquest report was done, IsmatAra went to the police station and filed a murder case against unnamed people. The case number is 16; Date:14/02/12. Under section-302/34 of the Penal Code. The case is under investigation, he informed.

Nayeb Subedar Hannan, Mongla Special Camp, 3 Border Guard Bangladesh,Joypurhat:

Nayeb Subedar Hannan told Odhikar that at about 7a.m on the 14th February 2012 local people informed him on the night before near the border pillar number 288 inside India, the BSF members had tortured a man named Mizanur Rahman. After looking into the matter a bit more

he got to know that at about 3.30a.m the BSF members of Agra Camp took out Mizanur's eye by poking him with a bayonet and he died in hospital.

Lieutenant Colonel Mohammad Mehedi Hassan,3 Border Guard Bangladesh, Joypurhat:

Lieutenant Colonel Mohammad Mehedi Hassan informed Odhikar that he got to know about Mizanur being tortured by BSF members through the border outpost. He told the people living near the border to not cross the border illegally.

Dr.Mir Hamde Same, the doctor who did the post mortem of the dead body, Forensic Department, Dinajpur Medical College Hospital,Dinajpur:

Dr. Mir Hamde Same informed Odhikar that at about 3.30pm on 14th February 2012 the police of Hakimpur Police Station brought the dead body of a man named Mizanur Rahman to the morgue. The police told him that he had died due to the torture of BSF members. He, along with Dr. Khairul Alam and Dr. AmirUddin formed a three member board and completed the post mortem procedure. The post mortem number is 18/12. Morgue assistant Sudha helped cut the body.According to him, Mizanur's right eye was missing, right jaw, ear and gums were crushed. Some brain matter had come out through the deep wound in his upper jaw. It was mentioned in the post mortem report that Mizanur's cause of death was injury to the head. After the post mortem was completed at about 5.30 p.m. the police took away the dead body.

Sudha,Morgue Assistant, Dinajpur Medical College Hospital,Dinajpur:

It was not possible to talk to Sudha as he was not present in the hospital during fact finding mission.

Odhikar's stance:

Odhikar demands that the Bangladesh government take strong diplomatic action with the Indian authority in order to provide Mizanur's family with security and compensation from the Indian Government along with ensuring justice for Mizanur's unfortunate death.

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