



Abdur Rahim Sheikh died while in the custody of Badargonj Police Station under Rangpur district

Fact Finding Report

Odhikar

On February 29, 2012 at approximately 8.00 pm the police men of Badargonj Police Station arrested Abdur Rahim Sheikh (60), son of Md. Moez Uddin Sheikh and late Kamrunnessa, of ward no 8 Sahapur, Mistripara, Badargonj Municipality of Rangpur District. His family alleged that, he had been tortured in the custody of police. On February 29, 2012 the Mobile Court had sentenced him to one year of simple imprisonment. On March 2, 2012 Rahim Sheikh died at Rangpur Medical College Hospital while under treatment at ICU (Intensive Care Unit) at approximately 1.50 pm.

Odhikar conducted a fact finding mission into the matter. During this, they interviewed:

- Relatives of Abdur Rahim Sheikh
- Eyewitness
- Doctor of the Rangpur Medical College Hospital and the doctor who conducted postmortem
- Morgue assistant and
- Members of the law enforcement agencies

Monzila Khatun (45), wife of Abdur Rahim Sheikh

Monzila Khatun told Odhikar that, her husband was a fish trader. They have one son and four daughters. Sometimes her husband would come home drunk and be abusive. On 29 February 2012, she had complained about this to Prithwish Kumar, the Officer in Charge of Badargonj Police Station. On the basis of this oral complaint, at approximately 8.00 pm on February 29, 2012 Sub Inspector Mizanur Rahman and Constable Zahan Ali arrested and handcuffed Rahim Sheikh and wanted to take him to the police station. When her husband wanted to know the reason for his arrest, the police gave no reply and dragged him out of his home, while he tried to resist by holding on to a fence pole outside the home. S I Mizanur Rahman hit Rahim Sheikh in the chest with a torch and punch his face and back. Rahim Sheikh fell down on the ground when the police man kicked his legs repeatedly. Two police men took Rahim Sheikh away on the motor bike. She came to know from the villagers that, the policemen continued to physically assault Rahim Sheikh while taking him to the police station. At night, villagers informed her that,

police took Rahim Sheikh to the upazila health complex to wash out his stomach as he was drunk. As a result, Rahim Sheikh's health deteriorated.

On March 1, 2012 at approximately 8.00 am she went to the police station and learnt that her husband was sent to Rangpur Central Jail early in the morning.

On March 2, 2012 at approximately 3.00 pm her nephew and Commissioner of ward¹ no. 8, Nur Mohammad Hossain Babu, informed her over cell phone that Rahim had passed away, and his body was at the Rangpur Medical College Morgue. On March 2, 2012 at approximately 5.00 pm, while Nur Mohammad Hossain was returning home with Rahim Sheikh's body, villagers brought out a procession demanding the trial of the police men. After that, to calm the gathering, Officer in Charge Prithwish Kumar Sarkar promised to arrange the marriage for the three daughters of Rahim and to donate land to the family on behalf of the District Administration. On March 3, 2012 at approximately 10.00 am Rahim Sheikh was buried at Sahapur College Para graveyard.

Muhsena Khatun (35), neighbour of Rahim

Muhsena Khatun told Odhikar that, on February 29, 2012 at approximately 8.00 pm two police men came to Rahim Sheikh's house on a motor cycle. They introduced themselves as S I Mizanur Rahman and Constable Zahan Ali respectively. The policemen started punching and kicking Rahim Sheikh in front of the local people after arresting him. She wanted to know the reason for the arrest and asked the policemen. The policemen answered that Rahim had drunk alcohol and would be sent to court. S I Mizanur started to hit Rahim's chest as he refused to go with them. After the beating Rahim Sheikh got weak. Then the policemen took Rahim Sheikh away on the motor cycle.

Jahangir Alam (28), son-in-law of Rahim Sheikh

Jahangir Alam told Odhikar that, Rahim Sheikh was his father-in-law. On February 29, 2012 at approximately 8.00 pm he came to know that police had taken his father-in-law to the police station. At approximately 11.00 pm he went to the police station and saw his father-in-law lying on the floor. He could not move as police had beaten him badly. He returned home after talking to his father-in-law.

Nur Mohammad Hossain Babu, Commissioner, ward no. 8, Badargonj Municipality, Rangpur

Nur Mohammad Hossain Babu told Odhikar that, on March 2, 2012 at approximately 2.00 pm he was informed over mobile phone from Rangpur Central Jail that, his relative Rahim Sheikh had died. He informed Rahim Sheikh's wife Monzila. Later he took the body home from the morgue. He said that the local people got agitated about the death and brought out a procession, carrying the dead body, against the policemen. Later Rawsan Mostafa, Inspector of the Detective Branch

¹ Every municipal area is divided into several 'wards', each headed by a Ward Commissioner.

and Officer in-Charge of Badargonj Police Station, Prithwish Kumar arranged a meeting with the local people. The dead body of Rahim Sheikh was buried after the police agreed to the condition that, they would take the responsibility of arranging the marriages of Rahim Sheikh's daughters and 10 decimals of land would be given to his wife.

He filed a complaint to the Superintendent of Police that S I Mizanur Rahman tortured Rahim Sheikh, which resulted in his death.

Dr. Juthi Bhoumik, Medical Officer, Health and Family Planning Officer, Badargonj, Rangpur

Dr. Juthi Bhoumik told Odhikar that, on February 29, 2012 at around 8.15 pm policemen of Badargonj Police Station admitted Rahim Sheikh to the Hospital (Reg. no. 380/80). He was very drunk and doctors gave him medicine to overcome the effects of alcohol, after washing his stomach. When Rahim Sheikh got well, at approximately 9.00 pm, he was taken to the police station.

Md. Muniruzzaman, Upazila Nirbahi Officer, Bagargonj, Rangpur

Md. Muniruzzaman told Odhikar that, on February 29, 2012 at approximately 9.00 pm at night, he came to know that, S I Mizanur Rahman of Badargonj Police Station arrested a drug addict of ward 8, Sahapur Mistripara. He and Prithwish Kumar of Badargonj Police Station went there and set up a mobile court. The mobile court sentenced Rahim Sheikh to one year in jail under section 10 and section 22 (d) of the Narcotics Control Act 1990². He also said that, he ordered that the accused be kept at the police station as it was late at night and there was no document to send him jail. On March 1, 2012 at approximately 8.30 am, Rahim Sheikh was sent to jail. He also said that, on March 2, 2012 at approximately 2.00 pm, he came to know through the district administration that, Rahim Sheikh had died while under treatment at the jail hospital. On March 3, 2012 the body of Rahim Sheikh was taken to his home after post mortem.

Md. Mizanur Rahman, Senior Jail Superintendent, Rangpur Central Jail

Md. Mizanur Rahman told Odhikar that, on March 1, 2012 at approximately 12.35 pm two policemen of Badargonj Police Station took a prisoner named Rahim Sheikh to jail after the verdict of court. Jail police, Ferdous and Mashiur, received the prisoner named Rahim Sheikh (prisoner no. 9473/A, 1/03/2012). He was informed that the accused was sentenced to one year simple imprisonment. At night, Rahim Sheikh informed him that he was feeling feverish and had a headache. At that moment, he was sent to the jail hospital for treatment.

² The stated sections of the Narcotics Control Act 1990 provide for produce, refine, carry, transport, import, export, supply, buy, sell, keep, conserve, store, exhibit or use alcohol; and punishment for acting without licence etc referred to in subsection (2) of section 10 without a permit granted under this Act shall be punishable with imprisonment for a term which may extend to two years or a fine not exceeding two years or both.

On March 2, 2012 at approximately 9.00 am, when he visited the prisoners he came to know that Rahim Sheikh's fever was still high. He then sent him to the prison cell of Rangpur Medical College Hospital for better treatment. Rahim Sheikh died there at approximately 1.50 pm. He filed a case of unnatural death at the Kotowali Police Station. Then the Executive Magistrate Komol Kumar Barman went there with SI Ujjal and prepared inquest report.

Doctor Shakil Gafur, Associate Professor and Head of the Department, Cardiology Department, Rangpur Medical College Hospital

Doctor Shakil Gafur told Odhikar that at approximately 9.30 am, members of the Jail Police admitted a patient named Rahim Shiekh in the emergency unit of the hospital. The condition of the patient was deteriorating. At approximately 11.30 am he was brought to the Intensive Care Unit (ICU) and Doctor Rabindranath Bardhan and Doctor Hari Proshad Gupta treated him. At approximately 1.50 pm the patient died. The reason of death would only be known after the post mortem.

Sub Inspector (SI) Mizanur Rahman, Badargonj Police Station, Rangpur

Sub Inspector (SI) Mijanur Rahman told Odhikar that in the afternoon of February 29, 2012 a woman named Monzila, along with another woman came to the police station and complained about her alcoholic husband, Rahim Sheikh, to Officer in Charge. The Officer in Charge told him to take necessary steps regarding the complaint. At approximately 8.00 pm Mizanur Rahman along with Constable Zahan Ali went to Monzila's house and found her husband Rahim Sheikh drunk and out of control, behaving roughly with the family members. He took Rahim into custody and took him to the Upazilla Health Complex. Doctor Ashequl Arefin gave Rahim first aid. Later he was produced in front of a mobile court, which sentenced him to one year of imprisonment. As it was late at night and there was no document available for sending Rahim to jail, he put Rahim in the police custody cell. On March 1, 2012 at approximately 11.15 am Rahim was sent to the Rangpur Central Jail by prison van. Later he learnt that Rahim Sheikh died on March 2, 2012.

SI Mizanur Rahman told Odhikar that Rahim had not been tortured. He suggested that Odhikar contact the Officer in Charge for more information.

Prithwish Kumar Sarkar, Officer in Charge, Badargonj Police Station, Rangpur

Prithwish Kumar Sarkar told Odhikar that in the evening of February 29, 2012 a woman named Manjila, along with another woman came and complained against her husband Rahim Sheikh who drank alcohol and beats family members. He gave the responsibility of investigating the incident to SI Mizanur Rahman. SI Mizanur arrested Rahim Shiekh and a Mobile Court sentenced him to one year of imprisonment. Rahim died in the prison. Later Rahim's nephew Nur Mohammad Hossain Babu filed a complaint on March 2, 2012. Superintendent of Police, Abu Saleh Mohammad Tanvir formed an investigation committee on March 3, 2012 comprising

of Additional Superintendent of Police Rashidul Haque, Mohammad Delowar Hossain (District Intelligence Officer-1) and Mohammad Arman Hossain, Officer in Charge of Mithapukur Police Station, Rangpur. The committee is still investigating the case. He told Odhika that SI Mizanur Rahman had not torture Rahim Sheikh.

Komol Kumar Barman, Executive Magistrate, Deputy Commissioner office, Rangpur

Komol Kumar Barman told Odhikar that after being informed from the Kotwali Police Station, he, along with Sub Inspector Ujjal, went to the ICU of Rangpur Medical College Hospital and saw the dead body of Rahim. He prepared the inquest report. He told Odhikar that there was no sign of hitting on the body, but he found some small marks on the wrist which he assumed were needle marks.

Sub Inspector (SI) Ujjal, Kotowali Police Station, Rangpur

Sub Inspector Ujjal told Odhikar that on March 2, 2012 at noon Senior Jail Superintendent of Rangpur Central Jail filed a case of unnatural death. The number of the case is 77, date: 2/03/2012. The Jail super informed that a prisoner named Rahim Sheikh had died at the prison cell of Rangpur Medical College Hospital. He informed the matter to the Officer in Charge of Badargonj Police Station, Prithwish Kumar Sarkar and the Office of the Deputy Commissioner. Then Executive Magistrate of the Deputy Commissioner's Office, Komol Kumar Barman and he went to the hospital and prepare the inquest report. Later, relatives of the deceased came when he sent a message to the Badargonj Police Station. On March 2, 2012 after post mortem they returned to Badargonj with the dead body.

Ranajit Kumar Barman, Lecturer, Forensic Medicine Department, Rangpur Medical College Hospital

Ranajit Kumar Barman told Odhikar that on March 2, 2012 at approximately 12.00 pm he conducted the post mortem of the body of Rahim Shiekh. The post mortem number is 39/02. He informed that he did not found any sign of injury on the dead body. He assumed that Rahim Shiekh died of cardiac arrest. To confirm the reason, he sent specimens for viscera report. He told Odhikar that after the viscera report is completed, he will publish the post mortem report.

Raju, Morgue Assistant, Rangpur Medical College Hospital

Raju told Odhikar that on March 2, 2012 at approximately 12.00 pm Doctor Ranajit Kumar Barman conducted a post mortem of Rahim Sheikh. He helped the doctor to do the post mortem. When he was asked about any sign of injury, he remained silent.

Mohammad Fazlu Munshi, who washed the body of Abdur Rahim Sheikh

Mohammad Fazlu Munshi told Odhikar that on March 3, 2012 at approximately 9.00 am he and Ansar Ali washed the body of Rahim Sheikh. He did not want to talk about what he saw on the body as he said his religious beliefs prevented him from doing so.

Mohammad Rashidul Haque, Additional Superintendent of Police, Rangpur

Odhikar contacted Mohammad Rashidul Haque on May 22, 2012. He said that as there was an allegation of torture against the police, the Superintendent of Police Abu Saleh Mohammad Tanir formed a investigation committee comprising of Superintendent of Police Rashidul Haque, Mohammad Delowar Hossain (District Intelligence Officer-1) and Mohammad Arman Hossain, Officer in Charge of Mithapukur Police Station, Rangpur. The committee submitted the report on 26/04/2012 to the Superintendent of Police. He informed Odhikar that the report says that Rahim Sheikh died of cardiac arrest.

Odhikar demands a proper investigation and fair trial of Rahim Sheikh's death and compensation for his family, as promised by the local administration.

-The end-