

Khulna city unit Chhatra Dal¹ activists Mahmudul Haque Titu and Ferdousur Rahman Munna allegedly tortured at Khulna Police Station

Fact Finding Report

Odhikar

On April 22, 2012 at around 10.30 am, during the hartal² called by Bangladesh Nationalist Party (BNP), the police of Khulna Police Station arrested Chhatra Dal Khulna unit's Assistant General Secretary, S M Mahmudul Haque Titu (26) and Chhatra Dal activist Ferdousur Rahman Munna (22) from Tutpara Central Road area, Khulna. The police took Munna and Titu to Khulna Police Station at around 11.30 am, where, they claim, they were blindfolded and hung from a ceiling fan hook by their arms, and allegedly beaten with canes.

SM Mahmudul Haque Titu is a student of the Government BL College. His father's name is SM Emdadul Haque and Ferdousur Rahman Munna is a second year student of the Management Department of the Azam Khan Commerce College. His father's name is Aatur Rahman.

Odhikar conducted a fact finding mission in the incident. During the fact finding mission, Odhikar interviewed the following persons:

- Titu, Munna and their family members
- Titu and Munna's doctor
- News reporters
- People arrested during the strike and
- Members of the law enforcement agencies



Photo: Titu and Munna were blindfolded and hung from a ceiling fan hook by their arms and beaten with canes at Khulna Police Station.

¹Student wing of Bangladesh Nationalist Party (BNP)

²General strike

SM Mahmudul Haque Titu (26), torture victim:

SM Mahmudul Haque Titu informed Odhikar that on April 22, 2012 at around 8.00 am, the members of Jubo Dal³ and Chhatra Dal were peacefully observing hartal called by BNP at the Tutpara Central Road area. At around 10 am, when SM Kamruzzaman, the Officer-in-Charge (OC) of Khulna Police Station and 4/5 other policemen tried to obstruct the peaceful procession brought out by the BNP supporters, they got into an argument with the police officers. At one point of the argument, police took Titu and Munna to the police station in a police van. Later Titu and Munna were taken to a room on the second floor of the police station. At that time Constable Abu Sufian and Constable Masud, along with other policemen, tied up Titu's hands and lifted him onto a chair. The policemen then tied him up to a ceiling fan hook and removed the chair on which he was standing so that he left hanging by his arms. Some policemen led by OC Kamruzzaman relentlessly hit Titu's feet, back and hands with a cane. At one point he lost consciousness. Titu found himself lying on the floor of the police station when he regained consciousness. He saw Munna lying unconscious beside him. He then tried to help Munna regain consciousness and all the while the policemen were verbally abusing them. As they had fallen sick due to torture, on April 22 at around 3.30 pm SI Harun-ur-Rashid took them to Khulna General Hospital for treatment. The doctor prescribed a few medicines for them and advised Harun-ur-Rashid to do an X-ray of Titu. SI Harun-ur-Rashid did not do an X-ray and only gave him a Napa tablet (paracetamol) and a gastric tablet. When Titu asked for his and Munna's prescription, SI Harun-ur-Rashid did not give it to him. Titu also mentioned that he was not given any food the whole day after he was arrested. His two hands have become badly bruised due to police beating.

Ferdousur Rahman Munna (22), Torture victim:

Ferdousur Rahman Munna informed Odhikar that on April 22, 2012, during the hartal called by BNP, he was moving to a new house. At around 9.30 am he went to Tutpara Central road to get a rickshaw van to transport his furniture. However, he could not find any rickshaw van due to hartal. At around 10.00 am he noticed that the police was obstructing the peaceful protest of the hartal supporters. At one point an argument broke out between the hartal supporters and the police. He saw that the police arrested Titu and were putting him inside a van. At that time OC Kamruzzaman asked him, "Are not you Munna? What are you doing here?" Munna replied that he was looking for a rickshaw van as he was shifting to a new house. Upon hearing that, the OC said, "Why is your shirt wet? You are lying." So he put him inside the police van too. Then the policemen took them to the police station, all the while beating and verbally abusing them. Later they took Titu to a room on the second floor of the police station, blindfolded him, tied up his hands, hung him to a ceiling fan hook and started beating him. When *Digonto* Television⁴'s Khulna representative Nahid Anjuman Nayan, *Islami* Television's⁵ representative KM Ziaus Sadat, journalist Mohammad Nuruzzaman and journalist Ehteshamul Haque Shawon came to the first floor, OC Kamruzzaman stopped the beating and came downstairs with them.

³Youth wing of Bangladesh Nationalist Party

⁴A private TV channel

⁵Ibid

Nahid Anjuman Nayan (31), cameraman, Digonto Television, Khulna:

Nahid Anjuman Nayan told Odhikar that on April 22, 2012 at around 10.00 am he heard the news of the clash between hartal supporters and the police at Tutpara Central Road from the local people and immediately went to the scene of the incident. *Islami Television's* Khulna representative KM Ziaus Sadat was with him. He saw that there was a fight going on between the police and hartal supporters at Tutpara. After some time OC SM Kamruzzaman and 4/5 policemen brought two hartal supporters and stood them in the middle of the road. Nayan got to know that one of them was SM Mahmudul Haque Titu and another one was Ferdousur Rahman Munna. He took their photo and went to *Digonto* television office situated at 62, Sir Iqbal Road. At that time they received news from Khulna City BNP office situated at 6 KDA Ghosh Road, about an ongoing conflict between BNP activists and policemen. At around 10.40 am, he along with KM Ziaus Sadat went to the BNP office. There, the BNP activists informed them that OC SM Kamruzzaman was beating Titu and Munna at the police station. He along with the other journalists who were present there went to the police station. When he tried to pass the duty officer's room and go through the collapsible gate, the police officers on duty stopped him. Despite the police officers' obstruction, he took journalist KM Ziaus Sadat, Mohammad Nuruzzaman, Ehteshamul Haque Shawon and photo journalist Nazmul Haque Pappu of the *Daily Proborton* along with him and went to the first floor of the police station. There he saw that OC Kamruzzaman had blindfolded Munna and Titu tied up and hung to a ceiling fan hook. He also saw some sticks on the table.

Mohibuzzaman Kochi (50), Arrested individual:

Mohibuzzaman Kochi told Odhikar that on April 22, 2012 at around 7.00 am he along with other BNP activists were carrying out hartal activities in front of Khulna Coronation School. At around 8.30 am a team of policemen led by the OC of Khulna Police Station, SM Kamruzzaman took him to the police station as he was supporting hartal. The police let him sit on a mat in front of the police custody cell. At around 11 am, 5/6 policemen led by the OC Kamruzzaman arrested Chhatra Dal activists Titu and Munna and brought them to the police station. When the policemen were taking them towards the custody cell, OC Kamruzzaman got angry, began verbally abusing them and ordered the policemen to take them to the first floor of the police station with a pair of handcuffs and thick rope. OC Kamruzzaman also went up. After 3/4 minutes he heard shouting coming from upstairs, which lasted for 15 minutes.

Constable Abu Sufian, Khulna Police Station, Khulna:

Constable Abu Sufian told Odhikar that on April 22, 2012 he was on duty with the OC SM Kamruzzaman. During the hartal, two Chhatra Dal activists, Titu and Munna were trying to kill the policemen by throwing bombs at them. That is why they were arrested and brought to the police station. Constable Abu Sufian further said that Titu and Munna's eyes were blindfolded and hands were tied just to scare them.

SM Kamruzzaman, Officer-in-Charge (OC), Khulna Police Station:

SM Kamruzzaman informed Odhikar that on April 22, 2012 a mobile team of the police was on duty at Tutpara Central Road during hartal. At around 10 am, he went there immediately upon hearing the news that hartal supporters had thrown stones and petrol bombs at the police at Tutpara Central Road. At that time he managed to stop hartal supporters. The police arrested two Chhatra Dal activists, Titu and Munna and brought them to the police station. Titu and Munna were taken to a room on the first floor for interrogation about the bombs. In order to get information out of them, he tied their hands high up and blindfolded them and interrogated them. However, he did not torture them. He said that tying the hands and questioning them is just a method of interrogation.

Sub Inspector (SI) Shah Alam, Khulna Police Station, Khulna:

SI Shah Alam told Odhikar that on April 22, 2012 at around 6.30 am he was on mobile duty at Tutpara Central Road on the first day of the hartal called by BNP. Hartal supporters led by Khulna city unit Chhatra Dal President, Arifuzzaman Arif and Secretary, Kamal Hossain, were gathered there with iron rods, hockey sticks, wooden sticks, bamboo sticks, bricks and glass bottles for picketing. They were scaring the people who were on the road, puncturing the tyres of vehicles and getting ready to vandalise vehicles. In order to ensure the safety of the people and maintain law and order, he along with a few other policemen told the picketers to refrain from picketing. The hartal supporters did not listen to him and became even more aggressive. They threw bricks at the policemen and attacked them with canes and sticks. They poured petrol into Pepsi bottles, set them on fire and threw four such bottles towards the policemen. During that time he informed the higher authority about the matter through his walky-talky. Immediately Khulna zone's Senior Assistant Police Commissioner, Shakhawat Hossain and the Officer-in-charge of Khulna Police Station, SM Kamruzzaman reached the scene of the incident along with additional police force. In order to control the picketers police baton charged first being ordered by the higher authority. When the situation deteriorated police officer Mezbah threw two tear-gas shells on them. During that time, hartal supporters scattered in all directions. The policemen arrested Titu, Munna and three other picketers while they were trying to escape. Police officer Kashem, Tareque and many other policemen who were with SI Shah Alam got injured by the bricks and sticks thrown at them by the hartal supporters. The injured police officers and arrestees were given primary treatment and taken to the police station. For this matter, he filed a case at the Khulna Police Station against Titu, Munna and Monirul Islam along with the names of 17 other people who were arrested from Tutpara and 150/200 more unknown people for attacking police, obstructing the work of government officials and throwing bombs. The case number is 30, dated 22/04/2012, under sections 147/148/149/185/332/307/353/109/506 of the Penal Code⁶. SI Jilhaz Uddin was investigating the case.

⁶ The said sections portray punishment for rioting, armed with deadly weapon; unlawful assembly guilty of offence committed in prosecution of common object; illegal purchase or bid for property offered for sale by authority of public servant; causing grievous hurt to extort confession, or to compel restoration of property; attempt to murder; assault or criminal force to deter public servant from discharge of his duty; punishment of abetment if the act abetted is committed in consequence and where no express provision is made for its punishment; and punishment for criminal intimidation. file:///C:/Documents%20and%20Settings/Administrator/My%20Documents/All%20Law%20File/BPC/print_sections_all.php.htm

SI Jilhaz Uddin, Khulna Police Station, Khulna:

SI Jilhaz Uddin told Odhikar that he was assigned to investigate the case filed against the arrested picketers on April 22, 2012 by SI Shah Alam. He informed that three people have been shown arrested under this case. On April 23, 2012, they were sent to Khulna Metropolitan Magistrate's Court with a 5-day remand request. However, Magistrate Swapon Kumar Sarkar did not grant remand and ordered the police to interrogate the arrested individuals at the jail gate. He said that the case was being investigated.

SI Harun-Ur- Rashid, Khulna Police Station, Khulna:

SI Harun-ur-Rashid informed Odhikar that on April 22, 2012 he was on mobile duty. At around noon he was called to the police station with a walky-talky and upon arriving there he was told to take two men who were sitting at the duty officer's room to the Khulna General Hospital for treatment. He took them to the hospital in a car and they were able to walk to the car. At that time they did not look too sick. After the treatment was done, he left them at the police station and went back to his duty. Later he got to know that those two men were Titu and Munna.

Shahjahan Ali, Community Medical Assistant, Khulna General Hospital, Khulna:

Shahjahan Ali informed Odhikar that on April 22, 2012 at 4.10 pm SI Harun-ur-Rashid brought two men to the hospital and admitted them for treatment. One of them was SM Mahmudul Haque Titu, whose patient admission register number is 4834/27. The other one was called Ferdousur Rahman Munna, whose register number is 4835/27. He got to know that Titu had gotten hurt on his hand. At the end of the treatment SI Harun-ur-Rashid took Titu and Munna away with him.

Dr. Himel Saha, Medical Officer, Khulna General Hospital, Khulna:

Dr. Himel Saha told Odhikar that on April 22, 2012 at 4.10 pm Khulna Police Station's SI Harun-ur-Rashid came to the hospital with Titu and Munna. He gave treatment to both of them. Titu had bruises up to his wrist on both of his hands. He said that usually these marks are caused by beating with sticks. Munna did not have any injuries as such. Dr. Himel Saha informed that he prescribed a few pain killers and advised an X-ray for Titu.

Odhikar's view:

The incidents of torture in Bangladesh question the country's rule of law. These incidents of torture are violating Article 35(5) of the Constitution of Bangladesh, Article 7 of the International Covenant on Civil and Political Rights and Article 4 (1) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, where Bangladesh is a party to. Odhikar demands a fair and impartial investigation into the matter and bring the perpetrators to justice for the torture of Mahmudul Haque Titu and Ferdousur Rahman Munna in police custody.

-End of Report-