



A young man allegedly beaten to death by RAB at Shariatpur

Fact-finding Report

Odhikar

Md. Afzal Khan (21), a resident of the village of Binodpur Charerkandi at Shariatpur district was arrested by a team of RAB-8 on March 18, 2008. Afzal's family alleged that he later on fell ill due to torture by RAB and died on March 20 while receiving treatment at the Dhaka Medical College Hospital.

Odhikar conducted a fact-finding mission into the incident. During the fact-finding Odhikar spoke with:

- The late Afzal's family and relatives
- Witnesses to the incident
- Law enforcement agencies
- Doctors from the hospital
- A person who assisted in the post-mortem.

Khadija Begum (46), the mother of late Afzal

Afzal's mother Khadija Begum told Odhikar that she used to reside at the Gazir Char locality of Savar in Dhaka district with her husband, son Afzal and two daughters. Their permanent homestead was the village of Binodpur Charerkandi in Shariatpur Sadar Upazila (Sub-district). In 2006, Doctor Ganesh from the neighbouring village of Mahmudpur filed a false arms case against Afzal following which the police of the Palong Police Station of Shariatpur arrested Afzal and kept him under remand for 10 days. She said that After Afzal was later released on bail he would have to attend Court hearings three times every month. Afzal would make a living as a street vendor who sold fruits at Nabinagar,

Savar. Since Afzal used to stay in Dhaka, he was unable to hear the consequent Court hearings which led to him being sentenced for 14 years imprisonment. Khadija Begum informed that a friend of Afzal called Sher Jamal came to their house at Savar's Gazir Char for a visit and after staying with them for four days took Afzal with him to their village home at Shariatpur on the morning of March 17, 2008. The following day, i.e. March 18, at 8.00 pm Khadija's nephew Aziz informed Shahnaz, her daughter that Afzal had been arrested by RAB officers from just beside Doctor Ganesh's drug shop at the Mahmudpur bazaar of Shariatpur at 6.00 pm. She also came to know that the RAB officers beat Afzal and admitted him to the Shariatpur Sadar Hospital. After receiving this news Khadija Begum along with her daughters Shahnaz and Dahlia left for the Shariatpur Sadar Hospital from Dhaka at 11.00 am on 19 March 2008. She also informed that at the hospital, her son Afzal was under the guard of the Police in a state of near death. After Afzal was admitted to the hospital by RAB he was given treatment by the doctors for two hours but to no avail. The doctor on duty, Doctor M A Daud gave the clearance that Afzal be transferred to the Dhaka Medical College Hospital. She said that Afzal was later transferred to the Dhaka medical College Hospital with the assistance of the Police. Although after being admitted to the Dhaka Medical College Hospital at 8.30 pm Afzal was given the necessary treatment, he could not be saved due to excess blood loss. Khadija Begum demanded that those who had beaten her son to death must be brought to justice.

Abdur Rahman (47), the father of late Afzal

Afzal's father Abdur Rahman told Odhikar that he was a retired Subedar of the Bangladesh Army. He said that at around 10.00 pm on March 18, 2008, his elder daughter Shahnaj informed him that Afzal had been beaten to a state of illness by RAB at their village home and that Afzal was now at the hospital. He was again informed over the telephone some time later that the treatment Afzal was

receiving at the Shariatpur Sadar Hospital was doing him no good. Abdur Rahman said that the following morning on March 19, 2008, his wife, Khadija arranged for the transfer of Afzal from the Shariatpur Sadar Hospital to the Dhaka Medical College Hospital with the assistance of the police. He also informed that his son Afzal died on March 20, 2008 at the Dhaka Medical College Hospital due to beatings of the RAB. At around 12.00 pm on March 21, 2008, they collected Afzal's body from the morgue of the Dhaka Medical College Hospital and went to their village home at Shariatpur. Afzal's body was buried at 6.00 pm that day. While describing the state of the body, Abdur Rahman said that there were wounds on the left side of the forehead, two cheeks, lips, gums and the rear end of the skull. Afzal's neck was broken on the left side. His stomach was inflated due to trampling. Since the veins of his legs had been cut there were signs of blood drainage. Abdur Rahman alleged that Afzal had been killed and demanded punishment against who were involved in the killing.

Nasima Begum (19), the wife of late Afzal

Afzal's wife Nasima Begum told Odhikar that her husband was a fruit seller. She said that since Afzal maintained a good relationship with the Bangladesh Awami League¹ leaders and activists, some people of the Binodpur Charerkandi locality out of vindictiveness involved him in a false arms case. Nasima said that those people conspired with RAB who tortured Afzal to death. She told Odhikar that as her husband bit the RAB officers' hands during his arrest on March 18, 2008 they deformed his face with a pistol. The deceased's wife said that his hands were also broken and his whole body bore wounds. Nasima alleged that her husband had been killed due to torture by the RAB officers and demanded justice for the killing.

Shahnaz Aktar (22), the sister of late Afzal

¹ Bangladesh Awami League is one of the major political parties in Bangladesh.

Shahnaz told Odhikar that she went to the Shariatpur Sadar Hospital in the morning on March 19, 2008, after she came to know that Afzal was receiving treatment there after his being arrested and tortured by RAB officers. She said they found Afzal nearly dead in the hospital, under custody of four policemen. They came to know from the policemen that while Afzal was being arrested he kicked RAB officers and bit their hands which was why his leg veins were cut and his cheeks were smothered with pistol butts. Shahnaz said that since Afzal's gums were also hit, all his teeth became loose. A pistol's head was used to poke the insides of Afzal's mouth which was why whenever his mouth was opened it would lead to a great deal of bleeding. The skin of Afzal's ears was also cracked up due to excessive pulling. Blood was pouring out from the skull which had been hit by a pistol. Shahnaj said that when Afzal refused to lay down on the hospital bed the RAB officers broke his neck. It was after his neck was broken that Afzal lost his ability to speak. His stomach was inflated due to trampling and his two thighs also bore wounds. The hospital bed which Afzal was laid down bore his blood stains. She told Odhikar that Afzal's doctor, Dr. M A Daud told her that Afzal was admitted to the Shariatpur Sadar Hospital at 9.40 pm on March 18, 2008, following which they tried to stop the bleeding from the legs but failed. Since Afzal was in a critical condition MA Daud arranged for Afzal's transfer clearance to the Dhaka Medical College Hospital after two hours of his admission to the hospital. She informed that although Doctor M A Daud gave the transfer clearance at 11.40 pm on March 18, 2008, the police did not transfer Afzal to the Dhaka Medical College Hospital because they were unable to contact Afzal's guardians. On March 19, 2008, at around 8.30 am with the assistance of the police, Shahnaz admitted Afzal to Bed no. 15, Ward no. 32 of the Emergency of the Dhaka Medical College Hospital. Although Afzal was given quick treatment, he passed away at 1.15 pm on March 20, 2008.

Sher Jamal (26), Afzal's friend

Sher Jamal told Odhikar that he went to visit Afzal's house at Savar from Shariatpur on March 14, 2008 and returned to Binodpur Charerkandi bringing Afzal with him March 17, 2008. At around 6.00 pm on March 18, 2008 two plain clothes men came and grabbed Afzal in front of a shop at Mahmudpur Bazaar. Sher Jamal said that he stood at a distance to witness those two persons throw Afzal to the ground and punch, budge and kick him and also strike his head with their pistols.

Sarwar Hossain (30), friend of the late Afzal and a witness to the incident

Sarwar Hossain informed Odhikar that during noon on March 18, 2008, Afzal had lunch at Sarwar's house and went to the Bazaar after that. He said that at around 6.00 pm, two people saw Afzal and began to shout 'Catch him! Catch him!' Those two people soon got hold of Afzal. When he ran forward to release his friend Afzal from the clutch of the two men, they took out their pistols to shoot him. They introduced themselves as RAB officers and wore their RAB jackets and began to mercilessly beat Afzal after fitting handcuffs on him. Two more RAB officers arrived and they too joined in on beating Afzal. Sarwar said that the RAB officers with the help of a Village Police member took Afzal along with them across the canal beside the Bazaar to the yard of the Binodpur Charerkandi Non-Governmental Primary School. He said that the RAB officers began to ask him as to where he had hid the arms and where the whereabouts of his accomplices were and as they asked these questions they beat him on his hands, legs, face and head with sticks, rifles, stones and hammers. The RAB officers then carried Afzal on to the car and took him to the district headquarters.

Halim Sardar (50), Village Police

Halim Sardar, member of the Village Police of the village of Mahmudpur told Odhikar that at around 6.00 pm on March 18, 2008, he arrived at the Mahmudpur Bazaar. He saw Afzal engaged in a scuffle with two people in front of *Union*

Parishad-er Graam Adalat O Shalishi Parishad Karjalaya (a form of court under Union Parishad² for settling small disputes). Halim saw one of the two people trying to put handcuffs onto Afzal's hands and Afzal trying to escape which was why they threw him to the ground and continuously struck his head with pistol butts. Afzal was kept against the ground when a RAB officer pressed his leg onto Afzal's throat. Afzal continued to try to release himself and this led to them tie up Afzal's legs, grab him by his hair and rub his face against the ground. Seeing that the area was getting filled with people the men introduced themselves as RAB officers and threatened to shoot which caused the locality to soon become void of people. When a RAB officer asked where the Village Police were, Halim Sardar came forward and grabbed hold of Afzal. He also informed that 8/10 minutes later, two more RAB officers arrived. After their arrival the RAB officers forced the shopkeepers to shut down their shops. When the religious men from the mosques came forward, the RAB officers chased them away. Afzal tried to escape and while trying to do so bit the hands of a RAB officer named Mokbul three or four times. When Afzal bit yet another RAB officers arm, another RAB officer came forward with a stick and began to beat Afzal with it. When the stick broke, the RAB officer took another stick to beat Afzal. This continued for about 20/25 minutes and Afzal lost blood through his nose and face and vomited. Halim continued by saying that the RAB officers then twisted Afzal's left hand in the opposite direction and broke it by trampling on it. Later on two more RAB officers arrived and they too began to beat Afzal which left him very tired. At around 6.30 pm, he took the RAB officers and the arrested and injured Afzal to the yard of the Binodpur Charerkandi Non-Governmental Primary School after crossing a canal that was beside the Mahmudpur Bazaar by boat.

Mohiuddin (22), witness to the incident and owner of a shop called *Lucky Tailor's* at Mahmudpur Bazaar

² Union Parishad is the lowest level of the local government.

Mohiuddin told Odhikar that at around 6.00 pm on March 18, 2008, two RAB officers arrested Afzal at the Mahmudpur Bazaar and put a handcuff on his left hand. He said that after a while, two more RAB officers arrived and they took two sticks from his shop and beat Afzal with them till the sticks broke to pieces. Later on at around 6.30 pm, the RAB officers took the exhausted Afzal and crossed a canal by boat and took him towards the field of the Binodpur Charerkandi Non-Governmental Primary School.

Iskan Madbor (70), witness to the incident

Iskan Madbor told Odhikar that at around 6.00 pm at the Mahmudpur Bazaar, two people caught Afzal and shouted at him asking him where he could escape and where he would go, etc and kept beating him. He said that two more people joined them later. Iskan said that they introduced themselves as RAB officers. He continued by saying that when he went forward and asked them why they were beating Afzal, they beat him as well with a stick. He finished his talks with Odhikar by saying that after getting beaten he stood at a distance and watched the RAB officers beating Afzal.

Nurul Huq Madbor (53), witness to the incident

Nurul Huq Madbor informed Odhikar that at around 6.00 pm on March 18, 2008, while he was on his way to the Mahmudpur Bazaar mosque, he saw two people throwing Afzal to the ground and kicking and trampling him. He said that those two people introduced themselves as RAB officers. When he tried to save Afzal they punched him also which was why he moved away. Nurul said that after he was beaten, he watched the incident from a distance. He continued by saying that when Afzal twisted a finger of one of the RAB officers, they trampled Afzal's left hand and broke it. He added that when people from around rushed to the place of the incident on hearing the Afzal's scream, the RAB officers beat them away.

Ganesh Sarkar (47), Village doctor, Mahmudpur village

Ganesh Sarkar told Odhikar that Afzal was a notorious miscreant, who had a political affiliation with Bangladesh Awami League. He also informed that Afzal was engaged in extorting money from people. Ganesh said that Afzal and his gang used to commit robbery. He continued by saying that at around 10.30 pm one night in 2006, Afzal came to him and asked to open the door, saying that he needed some medicine for his stomach ache. His wife Rita Rani Saha opened the door and since Afzal was known to them from before she offered him to sit in the room. After entering Afzal took out his pistol and held him and his wife hostage. He asked for all money that Ganesh Sarkar had in his house. Ganesh said to save his own life he took the hanging end of his wife's saree (a traditional dress that Bengali women wear) and threw himself on Afzal with it. During the scuffle Afzal lost possession of his pistol and when he realized that people from the neighbourhood were coming, he escaped. He said that when he informed the Palong Police Station of what had happened, the Officer-in-Charge (OC) of the police station advised him to file a case. On the advice of the OC, he filed a case at Shariatpur Special Tribunal-3 under section 19/A of the Arms Act. He finished his talks with Odhikar by saying that he went to the Court thrice for the purposes of the case. However, he did not know what eventually happened to the case.

Major Shadat Hossain, RAB-8

Major Shahadat told Odhikar that they arrested Afzal on March 18, 2008 and handed him over to the police. He asked Odhikar to contact ASP Kaiser Ahmed for details of the incident.

ASP Kaiser Ahmed, RAB-8

Kaiser Ahmed told Odhikar that RAB-8 was given a list of criminals by the Palong Police Station. In that list there was the name of Afzal as a person convicted for 14 years imprisonment in an arms case. RAB-8 had made several failed attempts to arrest Afzal in the past. He said that on March 18, 2008, after receiving certain information from a confidential source, a 8-member RAB team was formed which was led by him. He and his team reached near the Binodpur Charerkandi Primary School behind Afzal's house at 5.00 pm on a micro bus from Madaripur. The RAB officer said that as they received a piece of information that Afzal was then at the Mahmudpur Bazaar, he divided the team into two groups consisting of four members in each group to conduct an operation to arrest Afzal. He informed Odhikar that RAB officers W, Anis, Mokbul and Mahbub were in the 'advance' group and in the 'backup' group, there were Kaiser Ahmed himself and Ajad along with two others. At around 5.15 W and Anis from the 'advance' group got down from their car, crossed a bamboo canal crossover and went to the Mahmudpur Bazaar to identify Afzal as per the information given by their source and then informed the rest of their team via mobile phone. He continued by saying that Mokbul and Mahbub later joined them at the Mahmudpur Bazaar. They arrested Afzal and brought him to the school field with the assistance from the Village Police member, Halim Sardar at around 6.30 pm Kaiser said that he saw that blood was dripping off W's hands because Afzal had bitten them. Anis was unable to use his hands because Afzal had bitten his palms also. Mokbul got hurt on his knees while he tried to catch Afzal. He went on to say that they first arranged for the primary treatment for the RAB officers and then admitted Afzal to the hospital at around 9.40 pm.

Mokbul Hossain, RAB officer, RAB-8

RAB-8 officer Mokbul Hossain stated that when Afzal Hossain was arrested, Afzal bit three RAB officers. Although Afzal was handcuffed in one hand, he still tried to escape and scuffled with them.

Shahariar Rahman, Superintendent of Police (SP), Shariatpur district

Shahariar Rahman told Odhikar that at around 9.00 pm on March 18, 2008, the OC of Palong Police Station informed him that RAB-8 had handed over an accused named Afzal to them, who was very ill. He said that he then asked the OC to take the necessary steps to send him to hospital. The SP told Odhikar that in the morning of March 19, 2008, Afzal was taken to the Dhaka Medical College Hospital for better treatment by a police escort party. He said that after he received the information that Afzal had died in the hospital on March 20, 2008, he informed the Shahbagh Police Station of Dhaka of the matter. He also said that the Shahbagh Police Station authorities prepared the inquest report of Afzal's body on March 21, 2008. The SP finished his talks with Odhikar by saying that the Shahbagh Police Station filed an Unnatural Death Case (UD Case) regarding the incident.

SI Delwar Hossain, Shahbagh Police Station, Dhaka

SI Delwar Hossain, the investigation officer of the case filed regarding Afzal's death informed Odhikar that towards noon on March 20, 2008, the SP of Shariatpur informed them via phone that a convicted accused of the Palong Police Station had died at the Dhaka Medical College Hospital. He said that being requested by the SP, he went to the hospital to see the dead body of Afzal. He also said that Magistrate Lokman from the Dhaka Collectorate prepared the inquest report of the body followed by the post-mortem. SI Delwar said that the body was then sent to Shariatpur at around 1.00 pm. He also stated that Nayek Md. Habibur Rahman of the Shariatpur Police Line as Plaintiff filed a UD Case at the Shahbagh Police Station, Case No. 22, Date: March 20, 2008.

Doctor Mijanur Rahman, Shariatpur Sadar Hospital

Doctor Mijanur Rahman of the Shariatpur Sadar Hospital told Odhikar that at 9.40 pm on March 18, 2008, 8 officers of RAB-8 admitted an accused called Afzal to the hospital. He stated that Afzal's body bore injuries on various places and the veins of his ankles were cut. Doctor Mijan said that Afzal was sent to the Dhaka Medical College Hospital because the blood loss through the cut veins could not be stopped. He also informed that some of the RAB officers also bore wounds of being bitten at their hands.

SI Abir Hossain, Palong Police Station

SI Abir Hossain, the investigation officer of the arms case that was filed against Afzal told Odhikar that village doctor Ganesh Sarkar of the village of Mahmudpur filed a case against Afzal from the village of Binodpur Charerkandi at the Special Tribunal-3 at Shariatpur under the section 19 (a) of the Arms Act in 2006. Case No. was 19/2006; GR 69/2006. Abir told Odhikar that, while investigating the case, he arrested Afzal and took him into 10 days remand. After the end of the remand period, Afzal was released on bail. Abir informed Odhikar that after his release on bail Afzal appeared before the court on three hearings but later he went absconding. The police officer said that Afzal was sentenced to 14 years' rigorous imprisonment in that case and that they sent papers regarding the court verdict to RAB-8 at Madaripur so that they would arrest the convicted Afzal.

Doctor Momtaz, War No. 32, Dhaka Medical College Hospital

Afzal's doctor, Doctor Momtaz told Odhikar that Afzal was admitted to Bed no. 15 of Ward No. 32 at 8.30 pm on March 19, 2008 under the custody of the police. He was admitted under the Registration No. 7755/77. He stated that there were signs of wounds all over Afzal's body and that his neck was swollen due to injuries there, which prevented any food from reaching his stomach. He continued by saying that Afzal passed away at 1.15 pm on March 20, 2008.

Sekandar Ali, the person who assisted the doctors in the post-mortem

Sekandar Ali told Odhikar that Afzal died due to torture only. He informed Odhikar that there was excess blood loss due to the cutting of the veins of Afzal's ankles. Sekandar said that since a metal instrument was pushed into Afzal's mouth, his mouth and throat excessively swelled up. He continued by saying that Afzal's neck was dangling towards the left and it could not be readjusted. There were wounds on his abdomen and at various places of his body.

-The End of Report-