

Death of a Young Man in RAB and Police Encounter in Defolbari Village of Jhenaidaha Sadar Upazilla

Fact Finding Report Odhikar

On the 27th of April 2009, Md. Siddik Mondol (30), son of Late Motaleb Mondol and Noorjahan Begum of Defolbari village of Jhenaidaha Sadar Upazilla was killed in an encounter by RAB-6 and the police of Jhenaidaha Sadar police station. The family complained that Siddik was arrested in the evening from the Holidhani Bazar and at around 11:20 at night he was taken to the banana grove of Hazi Yousuf in Ramchandrapur and shot and killed there. RAB and the station police informed that, Siddik Rahman alias Biplob and his gang had kidnapped a person and was demanding ransom. They were hiding in a banana grove in Ramchandrapur and when the police raided that area, Siddik died in a gun fight.

Human rights organisation Odhikar went to the spot for fact finding. Odhikar talked to:

- Relatives of the deceased Md. Siddik Mondol
- Eye witness
- Doctor's at the hospital and the Morgue assistant
- Members of the law enforcement agency



Dead body of Siddik Mondol

Noorjahan Begum (50), Siddik Mondol's Mother

Noorjahan Begum told Odhikar that Siddik was a van and motorcycle driver. In the neighbouring village of Parukhali, there was a police informant named Shamsul Islam. Sometimes Siddik and Shamsul rode on the motorcycle together. One and a half years ago, someone killed Shamsul and Shamsul's family filed a murder case, where Siddik was accused of the murder. As he had been accused in the murder case, Siddik returned the motorcycle that he brought from Singer Company on instalment, and went into hiding. For the last year, Siddik, his wife and child, were residing in the Hirinanagar area of Boalmari Upazilla in Faridpur, where Siddik worked as a day labourer. She also told Odhikar that, on the 25th of April 2009, Siddik came home from Faridpur and on the 26th of April 2009, he went to his sister, Halima's house in Shamspur village. On the 28th of April 2009, around 8:00 in the morning, she heard from local people that Siddik had killed in crossfire by RAB and police in a banana grove in Ramchandrapur. She got to know that on the 27th of April 2009, Siddik left Halima's house, rented a motorcycle and went to Holidhani Bazar. In the evening, police arrested Siddik from the streets of Holidhani Bazar and at around 11:20 at night he was taken to the banana grove in Ramchandrapur and shot and killed. She said in order to escape any liabilities the police altered Siddik Mondol's name to 'Siddik Rahman alias Biplob', and then filed a case against him. They have even portrayed Siddik as the regional leader of the Purbo Bangla Communist Party (Janajuddho), which according to his mother, is completely false and baseless. Her son was never involved in any group and his name was not Biplob. There was only one case filed against her son, but after his death, 11 filed cases were shown. She demanded that this was a conspiracy of the administration that had to be revealed. She wanted punishment for those who killed her son.

Nazma Begum (25), Siddik's wife

Nazma Begum told Odhikar that, on the 28th of April 2009, around 8:00 in the morning, she heard from local people that her husband had been killed in crossfire by RAB and the police. At around 4:00 in the afternoon, relatives brought his body home from the hospital. She saw three marks of bullets, on the body. She said that her husband's mobile phone and motorcycle were in police custody. She demanded punishment for those who killed her husband.

Bashir Uddin (48), Siddik's paternal uncle

Bashir Uddin told Odhikar that on the 28th of April 2009, around 8:00 in the morning, he came to know from Siddik's mother that, Siddik had been killed by RAB and police in the Ramchandrapur area and his dead body had been taken to Jhainaidaha Sadar police station. Bashir went to the police station at around 10:00 that the morning along with his two brothers Zafar Mondol and Madhu Mondol. At the police station, they saw Siddik's body, lying on the bed of a pickup van. He said that the deceased was wearing a black T-shirt and pants. He was shot in his neck and one bullet had hit the left side of his chest, from the front. He had blood all over his face. Bashir Uddin informed the police at the station about taking the dead body and the Police took his signature on a couple of

papers. At around 2:40 in the afternoon, the body was taken to Jhenaidaha Sadar Hospital still under police custody. Bashir gave Tk-600 to the morgue assistants and paid the rickshaw fare to two doctors, for the post-mortem examination of the body. Apart from this, he also paid for the thread used to stitch the body and for bags for the police to accumulate the evidence found, although these responsibilities belong to the police. After the post-mortem examination was over, they came home with the body at around 4:00 in the afternoon. He said that, 10/12 police men took position around the house. Police men asked Siddik's family to quickly bury the dead body. By 5:00 in the afternoon, the burial was completed and the police men left.

Halima Khatun (25), Siddik's sister, Shomospuri, Jhenaidaha

Halima Khatun told Odhikar that, Siddik was in hiding since he had been named an accused in a murder case. Since Siddik had a fever, he went to her house on the 26th of April 2009. On the 27th of April 2009, at around 7:00 in the morning, Siddik received a call on his mobile phone which made him leave the house without having breakfast. On the 28th of April 2009, around 8:00 in the morning, she heard from local people that Siddik had been killed in crossfire by RAB and police. She went to Siddik's house in Defolbari at around 4:00 in the afternoon and saw his dead body. Later she got to know from the local people that in the evening of 27th April 2009, police arrested Siddik from the streets of Holidayhani Bazar and police and RAB members shot and killed him at night. She demanded punishment for those who killed her brother.

Alamgir (17), Ramchandrapur

Alamgir told Odhikar that, on the 27th of April 2009, at around 11:15 at night, he heard 30/35 gunshots coming from the direction of Hazi Yousuf's banana grove. He panicked and stayed indoors. Around 11:55 at night, two men who claimed to be members of the police called him out. He went to the spot along with neighbours Ilias and Jhantu. He saw that 30/35 RAB and police men were walking around the area and 9 cars were parked on the road. At that time one of the police shined a torch on a dead body and asked him if he knew the person. He said that he did not know the dead person. Police took his signature on a blank sheet of paper. He was made to lift the body on to the police van. On the 28th of April 2009, police left with the body at around 3:00 in the morning.

Md. Jhantu (20), eye witness of the dead body, Ramchandrapur

Md. Jhantu told Odhikar that, on the 27th of April 2009, at around 11:15 at night, he heard 30/35 shots coming from Hazi Yousuf's banana grove. He also heard a commotion. Around 11:55 at night, 2 policemen came to his house with torches and took him to the spot of incidence. He saw a dead body, shot, in the banana grove. He signed a blank sheet of paper as instructed by the police. He was forced by the police to lift up the body in to the police van.

Sub Inspector (S.I.) Kashem, Second Officer, Jhenaidaha police station

S.I. Kashem told Odhikar that, on the 27th of April 2009, at around 10:00 at night, as per information given by the police source (informant), police arrested an accused who had been in hiding and was called Siddik Rahman Biplob. He was the regional leader of the Purbo Bangla Communist Party (Janajuddho) and had kidnapped a person. The source also informed them that the person who was kidnapped was kept in a banana grove in the Ramchandra area. RAB and police went to that area, and Biplob died in a gunfight. To know about the details of the matter, SI Kashem asked Odhikar to talk to S.I. Sunit Kumar. Regarding the filed cases, he said that there are 7 cases against Siddik in Jhenaidaha police station and 1 case filed in Shaikupa police station. He said that after Siddik's death on the 28th of April 2009, 3 more cases were filed against him. S.I. Sunit Kumar is the complainant in these cases.

Sub Inspector (S.I.) Sunit Kumar, Jhenaidaha police station

S.I. Sunit Kumar told Odhikar that, on the 27th of April 2009, police were on special duty in Holidhani, Garamara and Ramchandrapur Bazars. At around 10:00 at night, he received information from a source that the Purbo Bangla Communist Party (Janajuddho) regional commander Siddikur Rahman Biplob, along with his assistants had kidnapped a businessman from Ganna Union and was demand ransom. They were residing in a field in Ramchandrapur area. Getting this news, the police and RAB members communicated over mobile phone and surrounded the area. While the search was going on, around 11:20 at night, they saw 5/6 men in Hazi Yousuf's banana grove and chased them. At one point the unknown men fired at them and the police counter fired. After about 20/25 minutes of cross firing, the terrorists stepped back. After all the terrorists ran away, the area was searched and a dead body was found. He said that while the crossfire was going on, police constable Azizul Islam and S.I. Shatendranath Dutta of RAB were injured. Hearing the incident he went to the spot and made a seizure list and prepared an inquest report. About the inquest report, he further informed Odhikar that Siddik had been shot in both sides of his wind pipe and one bullet had hit the left side of his chest, from the front and exited at the back. The deceased was wearing a black t-shirt and pants. There were no other marks on any part of the body. SI Kumar said that he recovered 2 rounds of bullets, 1 loaded revolver, 1 'shutter' gun, 2 unused bullets, a bullet shell of a China gun, an unused explosive wrapped with black tape, a money bag with Tk- 3240 and 5 mobile phone sim cards from the spot. He said that the SIM numbers matched those that were written in GD cases of incidents of extortion, kept at the police station. He said that regarding this matter, he had filed 3 cases in the Sadar police station has the complainant on the 28th of April 2009. The cases were:

1. Jhenaidaha Police station, case no. 49; sec- 353/332/304 of Penal code. Investigation officer is S.I. Nazrul.
2. Jhenaidaha Police station, case no.50; sec-19-KA of Arms Act 1978. Investigation officer is S.I. Iqbal.
3. Jhenaidaha Police station, case no.51; sec-4/5 of Explosive Act. Investigation officer is S.I. Krishnopodh.

Major Tariqul Islam, RAB-6, Jhenaidaha

Major Tariqul Islam told Odhikar that, as per information given by the police, RAB members went to the Ramchandrapur area. At around 10:00 at night, during a gunfight, listed criminal, Biplob, was killed. He said that as per information that they got from the cell phone that was recovered from Biplob, it can be proved that he was the Purbo Bangla Communist Party (ML-Janajuddho) regional leader and an extortionist. He said that the police station has details about Biplob. He said that in this expedition, police members along with a RAB member, S.I. Shatandranath Dutta, had been injured.

Dr. S.M. Mostafizur Rahman, Sadar Hospital, Jhenaidaha

Dr. S.M. Mostafizur Rahman told Odhikar that, on the 28th of April 2009, around 2:40 in the afternoon, the police of Sadar police station brought in a dead body. he conducted the post-mortem examination along with Dr. Mohsin Raja. He said that the deceased was shot in both sides of his wind pipe and one bullet had hit the left side of his rib, from the front which had exited from the back and there was also a lot of blood loss. There were no other marks on the dead body.

Sudhir Kumar, Morgue-assistant, Jhenaidaha

Sudhir Kumar told Odhikar that on 28th April 2009, around 2:40 in the afternoon, the police of Sadar police station brought in an unknown dead person who had died in a gunfight. He said that the deceased was shot in both sides of his wind pipe and one bullet hit the left side of his rib.

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