

Allegation of a shrimp merchant being shot to death at Tala, Shatkhira

Fact-finding Report

Odhikar

At around 7.30 pm on August 18, 2009, Mohammad Lutfor Rahman Gazi (32) from the village of Shahapur, Tala was arrested by the police of the Shatkhira Police Station from the house of Advocate Shabuj at Khan Bahadur Ahsanullah Road. It has been alleged by the family of the victim that the police took Lutfor to a butcher shop belonging to one Latif, located at the Choyghoriya crossroads of Shatkhira and shot and killed him at 2:52am on August 19,2009.

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

- Relatives of the deceased Mohammad Lutfor Rahman Gazi
- Eyewitnesses
- Concern doctors and morgue-assistant
- The person who washed the deceased's body
- Members of the law enforcement agencies



Picture: Mohammad Lutfor Rahman Gazi

Mohammad Erfan Ali Gazi (76), Father of Lutfor

Mohammad Erfan Ali Gazi told Odhikar that his son Lutfor was a shrimp merchant. He was also a member of the local Jubo Dal¹. After the Awami League government came to power, Lutfor, for the sake of his own security, rented a flat at Munshipara, Shatkhira. Since he was involved in politics, several cases had been filed against him at various police stations. Due to these cases, Lutfor had been arrested by the police and RAB in the past. After being proven innocent, Lutfor was cleared of those charges. In August 2009, Lutfor's political opponents from the Awami League filed a General Diary (GD) at the Shatkhira Police Station along with a false case against him under the Speedy Trial Act. It was because of this case that the police arrested Lutfor from the house of Advocate Shabuj at Khan Bahadur Ahsan Ullah Road at around 7.30 pm on August 18, 2009. The

¹ Jubo Dal: Youth wing of Bangladesh Nationalist Party (BNP) – one of the major political parties of Bangladesh. The party is now main opposition.

police later took Lutfor to Latif's butcher shop where they shot and killed him at 2.52 am on August 19, 2009. Erfan demanded that his son's killers be brought to justice.

Mohammad Sohrab Hossain Gazi (43), brother of Lutfor

Mohammad Sohrab Hossain Gazi told Odhikar that Lutfor the people of the Awami League had filed many cases against Lutfor in order to harass him because he was involved in BNP² politics. Lutfor rented a house at Munshipara, Shatkhira. Since there was a case against him and a GD³ had been filed at the police station, the Shatkhira Police had been in search of Lutfor. A police officer had told Lutfor that he would not be arrested if the police were paid Taka 5000/- by August 18, 2009. In this connection, Lutfor had contacted Sohrab over the phone telling him that he had Taka 3000/- with him and that Sohrab should arrange for Taka 2000/- to be sent to him from their village home. Sohrab had told Lutfor that his friend Advocate Shabuj and Shabuj's brother Nazmul Huda Palash lived at the Khan Bahadur Ahsan Ullah Road and they would give him the money he needed. Lutfor went to the house of Advocate Shabuj on the evening of August 18, 2009. Upon his arrival Lutfor saw that Shabuj had gone to the mosque to pray while Shabuj's brother was at home speaking with some other people. Palash gave Lutfor Taka 2000/- and told him to have a seat. That was when Sub-inspector (SI) Harun of the police station arrived and took Lutfor away. Shabuj called Sohrab at about 8.10 pm that night and informed him of what had taken place. After trying to locate Lutfor's whereabouts, several calls from unknown numbers came to his cell phone at about 10.00 pm. The unidentified persons told Sohrab that they had taken Lutfor away. They also told Sohrab to stop searching and send Taka 6 lakh which would ensure Lutfor's release. Sohrab told them that he would pay Taka 1, 50000/- the following day and the remaining amount later on. That night Sohrab managed to collect the amount he had promised to give. At around 3.00 am the next morning, Lutfor's sister's husband M. Abdul Kuddus contacted Sohrab over the telephone and informed him that the Shatkhira Police had shot and killed Lutfor. At about 6.00 pm, Lutfor's body was brought home.

Advocate Shabuj, Palash's brother and relative of the deceased Lutfor

Advocate Shabuj told Odhikar that Lutfor's brother Sohrab was his friend and they shared the same home town. In the afternoon of August 18, 2009, Sohrab telephoned him and told him that his brother Lutfor needed Taka 2000/- in order to give to an SI of the Shatkhira Police Station. Shabuj then called his brother Palash and told him to give Lutfor Taka 2000/- on his arrival. When Lutfor arrived at his house Shabuj was away at the mosque to say his prayers. After Lutfor had arrived and taken the money, SI Harun from the local police station came and took Lutfor away. Shabuj immediately informed Lutfor's relatives of the incident. Later on that night the police shot and killed Lutfor and declared that he was been killed in 'crossfire'. Advocate Shabuj demanded justice for this murder.

Nazmul Huda Palash, President, Bangladesh Chattra League, Shatkhira Government College Unit

Nazmul Huda Palash told Odhikar he had been confined to bed rest because the cadres of Chattra Shibir had attacked and broken his leg recently. Since then Palash would call his political friends home and carry out party activities. In the afternoon of August 18, 2009, Palash was engaged in a discussion with his party allies at his house at the Khan Bahadur Ahsan Ullah Road. At about 7.00 pm, Lutfor Rahman, an acquaintance from his home town and also his brother's friend, came and asked for Shabuj. Lutfor told Palash that a case had been filed against him at the Shatkhira Police

² BNP: Bangladesh Nationalist Party (BNP). One of the major political parties in Bangladesh – main Opposition in present Parliament.

³ GD: General Diary. A formal complaint to the police.

Station. Apparently the police had told Lutfor that if he paid them Taka 5000/- they would not arrest or harass him in any way. Hearing this, Palash gave Lutfor Taka 2000/- and asked him to sit down because his brother Shabuj was away at the mosque saying his prayers. At around 7.30 pm, Second Officer Abdus Sabur, SI Harun and Munshi Khaled arrived from the Shatkhira Police Station.

Palash further stated that as he asked SI Harun as to why he had come and SI Harun immediately handcuffed Lutfor. SI Harun said that the Superintendent of Police (SP) had summoned Lutfor and that he would take him away. Palash grabbed hold of SI Harun's shirt with one hand and Lutfor's t-shirt with the other and told the SI not to take Lutfor away. SI Harun pushed Palash to the ground and took Lutfor down to the street adjacent to Palash's house, where people began to gather. In the presence of all the people, SI Harun began to punch and slap Lutfor. Although many of the people there requested SI Harun to let Lutfor go, he continued verbally abusing Lutfor and took him away. As Lutfor left, he gave Palash the money he had and his cell phone. Since Palash was ill he could not find out where Lutfor was taken. Palash contacted Lutfor's relatives and informed them of his arrest. Palash also informed his brother Shabuj when he came home at about 8.10 pm after which Shabuj telephoned Sohrab to inform him of the incident. Palash stated that although he and Lutfor belonged to rival political parties, they nonetheless shared a deep relationship because their home towns were in neighboring villages at Tala.

Palash further stated that at about 5.00 am on August 19, 2009, a party colleague called him up and told him that the police had shot and killed Lutfor at the Choyghoriya crossroads and declared before the media that Lutfor had died in 'crossfire'. The police had also stated that Lutfor was a regional commander of the Purba Banglar Communist Party⁴. He demanded that a fair investigation be carried out to ensure that justice be served.

Firoza Begum (35), Lutfor's sister

During a conversation with Odhikar, Firoza Begum said that at about 3.00 am on August 19, 2009, a man telephoned her husband, Abdul Kuddus, and informed that Lutfor had been shot and killed by the Satkhira Police. She then went to Satkhira Police Station with her son, Faiyaz at around 6.00 am and saw the bullet-ridden body of her brother lying on a rickshaw-van⁵. She recalled that two bullets had hit him in the chest and pierced through the back. She also claimed to have witnessed injuries on his head. Afterwards, she went back her home.

Mohammad Mahtab Uddin Gazi, Chairman, Khesra Union Parishad and Uncle of the deceased Lutfor

Mohammad Mahtab Uddin Gazi told Odhikar that at around 8.00 am on August 19, 2009, he heard from others that his nephew Lutfor had been arrested by the Shatkhira Police from Advocate Shabuj's house at Khan Bahadur Ahsan Ullah Road at around 7.30 pm on August 18, 2009. He also learnt that on the same night the police took Lutfor to the Choyghoriya crossroads along the Shatkhira-Jessore highway and shot and killed him. After taking an innocent person away and killing him, the police then declared to the media that Lutfor had died in 'crossfire' and that he was a regional commander of the Purba Banglar Communist Party, though he was a member of Shatkhira district BNP. Mahtab Uddin Gazi demanded that a fair investigation be initiated in order to bring the perpetrators to justice.

⁴ Purba Banglar Communist Party: An ultra-left political party operating underground.

⁵ Rickshaw-van : A three-wheeled vehicle with pedals, used for carrying goods or passengers, mostly in rural Bangladesh.

Mosammat Nazma Begum (29), Eye witness, Husband: Shamim Gazi, Choyghoriya bend, Shatkhira

Mosammat Nazma Begum told Odhikar that at around 3.00 am on August 19, 2009, she woke up from sleep hearing 4/5 gunshots. Several minutes' later two men arrived and asked from outside her house, 'Who is at home?' They introduce themselves as the police. Nazma's husband Shamim Gazi then came out of the house. He was taken by the police to the butcher's shop owned by Latif which was adjacent to the street. Shamim was shown a dead body and was asked whether he could identify the body. When Shamim told the police that he did not recognize the body, the police took his signature on a white sheet of paper. Two police pick-ups were parked nearby. There were 10-12 police officers with torch lights in their hands. 15/20 minutes later Nazma saw her husband help the Police lift Lutfor's body on a rickshaw-van which the police had brought. The following afternoon on August 20, 2009, two men dressed in plain clothes came and told her not to tell anyone about the previous night's incident and if anyone asked about what had happened they told Nazma to tell them that she only heard four shots being fired.

Mohammad Kuddus Ali (45), Eyewitness

Mohammad Kuddus Ali told Odhikar that on the night of August 18, 2009, he was on guard at a shrimp farm. At around 2.30 am on the 19th, two pick-ups stopped at the Choyghoria crossroads which barred the movement of other vehicles. 10/12 police officers got down from the vehicles and flashed their torch lights in various directions. He also saw several police officers running around and shouting, 'Catch him, Catch him!' This was followed by 4/5 gunshots. Kuddus chose not to show up on the scene out of fear. He saw his neighbour Shamim Gazi assisting the police to lift a dead body onto a rickshaw-van. The Police then left taking the body with them.

SI Abdus Sabur, Shatkhira Police Station, Shatkhira

SI Abdus Sabur told Odhikar that on August 18, 2009, while he was on urgent duty with Constables Aolad Hossain, Nazrul Islam and Abdul Jalil, he received an order from the Officer-in-charge (OC) after which he conducted a special operation with SIs Golam Sarwar Mollah, Harun-Or-Rashid and ASIs Munshi Khalid, Ebad Ali and Aatur Rahman at Labsha Union. At 2.25 am on August 19, 2009, when they arrived near the butcher's shop of one Latif at the Choyghoriya crossroads of the Shatkhira-Jessore highway, 10/12 criminals opened fire after realising the presence of the police. The police fired back to protect Government property and at one point the group of criminals retreated. The exchange of gunfire continued for 20-25 minutes. One of the criminals was shot by a bullet fired from their own group. People of the locality arrived following the shouts and calls of the police and saw what had happened. However, they could not recognise the deceased.

During the gunfight with the criminals, ASI Ebad Ali, Constables Aolad Hossain and Nazrul Islam were slightly injured. The bullet ridden man was taken to the Shatkhira Sadar Hospital where the on-duty Doctor declared him dead. Later on, SI Sabur came to know that the man was Lutfor Rahman, the Khula regional commander of Purba Banglar Communist Party (ML-Janajuddha). Lutfor's home town was the village of Shahapur of Tala. He was listed 29th on the wanted list of criminals at the Shatkhira Police Station. There were a total of four cases and three GDs filed at the Tala Police Station against him; two cases and one GD at the Shatkhira Police Station and two more cases at the Patkhelghata and Ashashuni Police Stations. SI Sabur stated that there could be more cases against Lutfor. With regard to the incident, SI Mosharraf filed a case at the Police Station as Plaintiff. The case was numbered 38 and dated 19/08/2009 and was filed under Sections 332/353/302/34 of the Penal Code. SI Sabur himself was the Investigation Officer of the case.

Maniruzzaman, Superintendent of Police (SP), Shatkhira

Maniruzzaman told Odhikar that Lutfor was the regional commander of the extremist organisation Purba Banglar Communist Party. There were cases filed against him in various places across the Khulna Division⁶. According to Maniruzzaman, the most important thing was that irrespective of which party would come to power, Lutfor would blend in and activate members of his extremist organisation and carry out other activities. Maniruzzaman also stated that Lutfor had demanded extortion money from several people and was also involved in murder. According to him, the deceased's family's allegation that Lutfor was killed in an encounter with the police on August 19, 2009, was false.

Doctor Rafiqul Hasan, Department of Pathology, Shatkhira Sadar Hospital

Doctor Rafiqul Hasan told Odhikar that on August 19, 2009, Shatkhira Police arrived with Lutfor's body. A three-member board was formed, which performed the post mortem. He himself was President of the board and its other members were Doctor Mohammad Abdur Rahim and Doctor Mohammad Ziyad Ali. Doctor Rafiqul stated that the deceased's face was smeared with blood. Both sides of his chest were hit with bullets which had pierced through his back. The deceased's body did not bear any other mentionable signs of injury.

Akhtar Hossain, Office Assistant, Shatkhira Sadar Hospital

Akhtar Hossain told Odhikar that at 7.55 am on August 19, 2009, the Shatkhira Police arrived at the hospital with the body of a man named Lutfor. The body was received at 9.00 am. A three-member board was constituted with Doctor Rafiqul Hasan as the head of the board which carried out the post mortem at 2.45 pm. The GD was numbered 919 at the Sadar Police Station and the post mortem was numbered 158. The police left with the body in the afternoon.

Ujjal, Morgue-Assistant, Shatkhira Sadar Hospital

Ujjal told Odhikar that there were two bullet wounds on the sides of the chest of Lutfor. The bullets had pierced through Lutfor's back. He also recalled seeing a wound on the left side of the deceased's head.

Abdul Hamid Gazi (48), the person who washed Lutfor's body

Abdul Hamid Gazi told Odhikar that he had washed Lutfor's body. He informed that two bullets had entered Lutfor through the sides of his chest and shot out through his back. There was also a bruise on his forehead.

-The End-

⁶ Division : Administrative unit. Bangladesh is divided into six divisions.