



**Md. Zakir Hossain allegedly tortured to death in Ramna Model Police Station  
custody**

Fact-finding Report

Odhikar

On March 4, 2010 at around 12.05 pm, Senior Assistant Police Commissioner of the Detective Branch, Mohammad Mokhlesur Rahman arrested Md. Zakir Hossain (42) from his rented house at Shahidnagar residential area in Fatulla under Narayanganj district. Zakir Hossain was taken on 2 days remand by DB<sup>1</sup> police. He was sent to Court on March 8, 2010 after his remand period. When he was produced before the court, police of the Ramna Model Police Station appealed for remand by claiming he was arrested as accused as part of a car stealing case. The court granted 1-day remand. The family of the victim alleged that Zakir had been tortured to death on March 09, 2010 at around 6.00 a.m. while under police custody. The police stated the Zakir had died in the hospital at around 2.15 pm on March 09,2010.

Odhikar conducted a fact-finding mission into the above incident that occurred on March 9, 2010. During the fact-finding mission, Odhikar spoke with:

- family members of Md. Zakir Hossain
- an eye-witness
- morgue assistant at the hospital, and
- The concerned police officers.



Picture: Md. Zakir Hossain

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<sup>1</sup> Detective Branch of Police

**Mosammat Shilpi Begum (30), wife of Zakir Hossain**

Mosammat Shilpi Begum told Odhikar that her husband's village home is Alampur Maddapara under the Titas Police Station in the Comilla district. Shilpi Begum was living in a rented house 'Akhi Lipir Godhuli' at Shahid Nagar residential area in Fatulla, Narayanganj with her husband and three children. Zakir was a trader and used to sell kitchen market goods. Zakir had hired a room from his landlord and rented it to Billal Hossain for keeping his vehicles. She said that Touhidur Rahman, a resident of Khanka Sharif road in Rayer Bazaar came to their house at 11.30 pm on March 3, 2010. A few minutes later 7/8 men in civilian clothes and 2/3 men in police uniform entered their house with arms, identifying themselves as Detective Branch (DB) police. They pulled up her brother-in-law Md. Joynal Abedin (24) from his bed and handcuffed him. The police later handcuffed Zakir and asked him why Touhidur Rahman was at their house so late at night. Police also handcuffed Touhid. In the meantime, one of the policemen allegedly took Taka 15,000/- and two cell phones from the house. The police accused Zakir of stealing a car and keeping it in his garage. They asked Zakir to bring out the car from his garage and one police officer punched him on his neck. She alleged that the police hit and pushed her son Siyam Hossain (9) onto the bricks when he came too close to his father. Her son was seriously injured due to this. Zakir was dragged out and taken to the garage by the police. Zakir told the police that the car belonged to his neighbour, Billal Hossain who lived at Shah Alam's house. Police went to Shah Alam's house to look for Billal Hossain taking Zakir, Joynal and Touhid with them. Police arrested Billal's driver Md. Badal (30) as Billal was not in the house. She stated that according to Badal's statement, police had recovered many spare parts of vehicles from there. At around 2.00 am the police left the place with the recovered goods and four arrestees. Shilpi Begum went to the office of the DB police on March 4, 2010. At around 10.00 am, the police released Joynal and Touhid but not Zakir and Badal. Later she came to know that Zakir was sent to Court by the DB police for remand and the Court granted him 2-day remand.

After the remand period, Zakir was produced again before the Court on March 8, 2010. She along with her relative Gazi Molla went to the Court and got a chance to talk to Zakir in the Court.

Shilpi Begum stated that Zakir told her that the police might take him into remand again. He asked her to arrange his bail at any cost with the help of their relatives. The same day the police of the Ramna Model Police Station showed him as arrested as an accused of a pending case (No. 58(10)2010) and took him in remand for another day. Shilpi Begum told Odhikar that the Officer-in-Charge Shibli Noman and Sub Inspector M A Aziz of the Ramna Model Police Station had communicated with her over cell phone. She alleged that SI M A Aziz demanded Taka 50,000/- from her. SI M A Aziz told her that her husband would be released if she could pay him Taka 50,000/-, she told them that she was unable to pay up.

On March 9, 2010, she watched the news bulletin regarding the death of her husband on television. The news headline says “an accused named Zakir Hossain, who was under remand had died in Ramna police custody”. She informed her relatives and saw her husband’s body in the Dhaka Medical College Hospital morgue at 9 pm. She told Odhikar that she saw bruises on his feet, marks of beating on his both arms and that his face had also become black. She alleged that police tortured Zakir to death in remand because she could not provide bribes to the police. She suspected that Zakir had died in custody at 6.00 am after suffering torture all night. On March 14, 2010 she filed a petition case (No. 963/2010) in the Chief Metropolitan Magistrate Court under sections 302 and 34 of the Penal Code accusing the Officer-in-Charge S M Shibli Noman and Sub Inspector M A Aziz. At present the case is under investigation by the Criminal Investigation Department.

**Md. Joynal Abedin (24), Bother of the victim and an eye-witness**

Md. Joynal Abedin told Odhikar that on March 3, 2010 at around 11.00 pm Touhid came to their house and spoke to them. At around 12.00 am, 7/8 men entered their house identifying themselves as Detective Branch of Police and arrested him with Zakir. They were asked many questions related to car theft. Joynal stated that Zakir was beaten by one policeman and was asked to show the police the stolen cars. Zakir at once opened his garage located near the house. Seeing a car in the garage the police wanted to know who the owner of this car was. When Zakir told the police that the car belonged to Billal Hossain, police went to Billal’s house taking him with Touhid and Zakir. As Billal was not at home, the police arrested his driver Badal. The police had searched Billal’s house and recovered some spare parts of the car. The police took them in the police van with the recovered parts of the car at 1.00 am on March 4, 2010. They had been taken to the DB office at around 4.00 am. At around 9.00 am the same day, some DB police officers came and freed Touhid and him, but Zakir and Badal were sent to the Court.

Joynal also informed Odhikar that he came to know on March 9, 2010 at 8.00 am through the television news that his brother died in police custody at Ramna Model Police Station. They were informed that the body of Zakir was in the hospital morgue. He went to the Dhaka Medical College Hospital morgue that night and identified the body. He came back home at 11.00 pm. On March 10, 2010 at around 10.00 am, he went to the hospital again and brought the body to Shahid Nagar at 2.00 pm. They reached Comilla at around 5.30 pm with Zakir’s body. He was buried at his village in Alampur Maddapara, Comilla at around 7.00 pm the same day. Joynal claimed that there was no case against him or his brother. He stated that Zakir was allegedly tortured to death by Ramna police as his family had failed to provide the money demanded by SI M A Aziz.

**Md. Gazi Molla (54), neighbour of Zakir Hossain**

Md. Gazi Molla told Odhikar that he has been informed by Zakir's brother that Zaikr had been arrested by DB police on March 4, 2010 at around 2.00 am, and taken to the DB police headquarters. He went to the Court along with Zakir's wife Shilpi Begum on March 8, 2010 to meet Zakir and was able to speak to him. Zakir told him to arrange his bail at any cost. On March 9, 2010 at around 9.30 pm he received a phone call and came to know that Zakir had died and his body was kept in the Dhaka Medical College Hospital morgue. He rushed to the morgue and saw the body of Zakir. According to Gazi Molla, there were signs of bruises on his feet and arms. He alleged that Zakir died in police custody due to torture. He demanded a proper investigation into the matter and the culprits brought to justice.

**Mohammad Mokhleshur Rahman, Senior Assistant Police Commissioner, Dhaka Metropolitan Detective Police, Dhaka**

Mohammad Mokhleshur Rahman informed Odhikar that a car jack prevention team was created under his leadership as per instructions of the Deputy Police Commissioner Md. Monirul Islam. Among the members of the team were Inspector Rafiqul Alam, Inspector Akram Hossain and Sub Inspector Abdul Hakim. On March 4, 2010 at 12.05 am, based on specific information, he along with his team arrested two active members of a carjacking group Md. Badal and Md. Zakir Hossain from Shahid Nagar residential area at Kadamtali. According to a statement given by Zakir, they recovered a private car (Dhaka-Metro-Ga-17-1271) and a motor cycle (Dhaka-Metro-A-01-4288) from the G M Engineering Workshop, which was rented by him. As per his statement, they went to Shah Alam's house to search for Billal. Not finding Billal, the police arrested his driver Badal. They also recovered spare parts of 8 private cars from Billal's room and a microbus 'Noah' from M/S Arefin Workshop at Kazla as per the statements of Badal and Zakir. He informed Odhikar that they reached the DB office at around 9.00 am after the search mission. The accused have been produced before the court on March 5, 2010 with a seizure list of recovered goods. The Court granted a two-day (March 6 and 7) remand.

Mokhleshur Rahman also stated that the recovered goods matched with two stolen private vehicles for which a case had been filed in Ramna Police Station. The accused had confessed all this information during remand. They were sent to Court after the completion of remand on March 8, 2010. Meanwhile, Sub Inspector M A Aziz of Ramna Model Police Station showed them as arrested under a car stealing case and appealed for police remand. The court granted 1-day remand for Ramna Police Station. He said that during this time Zakir was physically fit. On March 9, 2010, he learnt through a police message that Zakir had died. He claimed that Zakir was not tortured during remand under the DB police.

**S M Shibli Noman, Officer-in-Charge, Ramna Model Police Station, Dhaka**

The Officer-in-Charge of Ramna Model Police Station, S M Shibli Noman informed Odhikar that as per the statements of Zakir and Badal, who were arrested by DB Police on March 4, 2010 goods worth 78 lac and 50 thousand taka including parts of 8 private cars, 1 car, 1 microbus and 1 motorcycle had been recovered by police. The court granted 2 day remand for them. The spare parts recovered from the arrested persons have also been under 12(1) 10, section 392 Penal Code and 58(01)10, Section 457/380 Penal Code have been identified and these were from the same cars which had been stolen earlier and had cases filed in the Ramna Model Police Station. Due to this, SI M A Aziz showed them as arrested and appealed for remand on March 8, 2010. The Court granted 1-day remand for both of them. They were taken to Ramna Police Station at around 9.00 pm and kept in the lock-up. On March 9 at 1.50 pm Zakir had felt a sharp pain in his chest. He was taken to the Dhaka Medical College Hospital at 2.15 pm by SI Md. Shahidur Rahman. The doctor at the emergency unit declared him dead. He also informed that SI Md. Shahidur Rahman had filed an unnatural death case in this connection on March 9, 2010. He stated that he heard that the victim's wife had filed a case against him in the Court. He claimed that Zakir was not tortured at all. He also said that the plaintiff of the case mentioned in her statement that Zakir was tortured to death for Taka 50,000 which was not true.

**Sub Inspector Mafizur Rahman, Ramna Model Police Station, Dhaka**

Sub Inspector Mafizur Rahman told Odhikar that Zakir Hossain, who was under remand, felt chest pains at 1.50 pm on the March 9, 2010. He lodged a General Diary (No. 648) mentioning that Zakir had to be taken to the hospital for treatment. He stated that Zakir was brought to the Dhaka Medical College Hospital within 25 minutes. The duty doctor declared him dead after he was taken to the hospital at 2.15 pm. Later Mafizur Rahman went to Shahbagh Police Station and as an applicant, lodged an unnatural death case. The UD case number is 15 dated 09/03/2010. He returned with a police constable leaving the dead body in the hospital morgue.

**Sub Inspector Didarul Alam, Shahbagh Police Station, Dhaka**

Sub Inspector Didarul Alam informed Odhikar that Zakir Hosaain, who was in police remand under Ramna Model Police Station, had died on March 9, 2010 at the Dhaka Medical College Hospital. Later, SI Mafizur Rahman of Ramna Police Station filed an UD case in this regard. Getting this report, SI Didarul Alam reached the hospital where a Magistrate prepared the inquest report. He has been assigned for investigation of this case. He said that no marks of torture were reported in the inquest report. According to him, the doctor who performed the postmortem also stated that there was no mark of injury. The doctor mentioned in the primary autopsy report that Zakir had died due to a heart attack. He also informed that the essential parts of Zakir's body had been sent

to the laboratory at Mohakhali for the preparation of a viscera report. The actual cause of death could be known only after getting the viscera report.

**Babul Chandra Das, Morgue Assistant, Dhaka Medical College Hospital, Dhaka**

Babul Chandra Das told Odhikar that on the night of March 9, 2010, the policemen of the Ramna Model Police Station brought a dead body to the hospital morgue. Later he came to know that deceased's name is Zakir. On March 10, 2010 at around 2.00 pm Dr. A K M Shafiuzzaman, Professor of the Forensic Division of the DMHC conducted the post mortem which was numbered 382/2010. Babul Chandra Das stated that there was no sign of bruises on the body. At around 4.00 pm the same day, Joynal Abedin, brother of the deceased took the body away. It is to be mentioned here that Zakir was arrested under Fotulla Police station of Narayanganj but police said that he was arrested from Kodomtoli police station in Dhaka.

According to DB police Zakir's house was under Kodomtoli of Dhaka at the residential area of Shahid Nagar and he was arrested from his house under that police station. But ASI of Kodomtoli Kibria said that Shahidnagar residential area was under Fotulla Police Station. In support of his statement SI of Fotulla Police Station Biplob also informed that Shahidnagar residential area was under Fotulla police station.

Odhikar expresses deep concern regarding this alleged custodial death and urges the Government to bring those responsible before justice.

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