



Death of Motor Mechanic Rabiul Islam Khokon, Due to Torture Inflicted while in Custody at Chatkhil Police Station under Noakhali District

Fact Finding Report

Odhikar

Rabiul Islam Khokon (23), a Mechanic in Majjatpara village in Chatkhila, Noakhali, was taken into remand on the 12th of May, 2010 at 1.00 am in the morning. His parents Md. Shahjahan and Rawshan Akhter accused Sub-Inspector Abdul Mannan of having tortured their son in remand. Khokon was brought to Dhaka Medical College Hospital on the morning of the 13th of May where he died while under medical care. The family accused Sub-Inspector Abdul Mannan of torturing Khokon in police custody at the station and thereby bringing about his death. The accused, Sub-Inspector Abdul Mannan was at the Noakhali district jail at the time of preparing this report.

Human Rights Organisation *Odhikar* has conducted a Fact finding mission, during which *Odhikar* has interviewed the following people-

- Khokon's relatives.
- Eyewitnesses.
- Doctors who provided treatment and carried out the post- mortem.
- Members of the involved Police force.



Picture- Rabiul Islam Khokon

Mariam Akhtar Mukta (20), Khokon's Wife-

Mariam Akhter Mukta told Odhikar that her husband was a motor mechanic. On the 21st of December, 2009, her husband boarded the 'Econo Exclusive Paribahan' (Dhaka Metro Ba-14-2332) from Noakhali. He was traveling to his uncle, Kabir Hossain's house in Dhaka in order to rent a shop at Jatrabari. At around 5.00 pm that day, Kabir's uncle called Khokon on his mobile phone which was received by someone who identified himself as Md. Shafiqul Islam, a member of the Rapid Action Battalion (RAB). Shafiqul then informed Kabir Hossain that his nephew had been arrested, being found armed on board the

'Econo Exclusive Paribahan'. Kabir was then asked to contact the office of AdamjiNagar, Crime Prevention Company (CPC)-1, of Narayanganj RAB- 11.

Mukta then told *Odhikar* that she was informed about the arrest by Kabir Hossain, who called on her mobile phone. That night she, accompanied by Kabir Hossain, went to the Adamjinagar RAB camp. There she was informed that the bus was stopped and searched by RAB-11 when it arrived in front of the Roads and Highways office under Shidhirganj station in Narayanganj district on the Chittagong Road. During the search, RAB found two weapons in the overhead compartment of the bus, after which, Khokon and a man named Yusuf Ali, who was sitting next to him, were arrested.

Mukta further said that she then contacted Romzan Ali, a member of RAB. Romjan told Mukta that he would let Khokon go and asked her to contact an agent named 'Rhidoy'. A few minutes later, a man called Rhidoy arrived and told them that RAB would let Khokon go if they pay them BDT 200,000. Within approximately one hour, they arranged a sum of BDT 140,000 and promised to pay the rest by 8:00 pm the following day; that is on the 22nd of December, 2009. Rhidoy accepted the money. However, the RAB members refused to release Khokon, and furthermore, the Sub-Inspector of RAB-11 Narayanganj CPC-1, Md. Shafiqul Islam, placed Khokon and Yusuf in Shidhirganj prison and filed a case against them at the station [File number- 30, date- 22/12/2009, under section 19, subsections (Ka) and (Cha) of the 'Astra Ayin' (Weapons Law) 1876]. They were charged with the offence of 'Illegally keeping in possession firearms and ammunition'. On this charge Khokon was locked up in Narayanganj prison.

Also a man named Md. Ruhul Amin Master, of Paranpur village of Chatkhil sub-district, Noakhali District, filed a case of robbery on 28/10/2010 against 20/25 anonymous people (File number- 8. Section 395/397 of Penal Code). The investigator of the case was Sub-Inspector Abdul Mannan.

On the 9th of April, 2010, Sub-Inspector Abdul Mannan prayed for permission to bring Khokon into remand at the Judicial Magistrates Ministerial Court, by presenting Khokon as a suspect for the number-8 case. On this request, the judicial magistrate granted permission for Khokon to be taken into remand for two days- the 11th and 12th of May, 2010.

Mukta said that, on the 10th of May, Sub-Inspector Abdul Mannan transferred Khokon from Narayanganj district Jail to Noakhali Chatkhil Police station and received him at the station at 5:20pm.

Mukta further said that, at 11.00am on the 12th of May, she received news from an acquaintance that her husband was ill and that he was under treatment at Noakhali's 250-bed General Hospital. On the morning of the 13th of May, Mukta's father-in-law informed her that her husband had died in Dhaka Medical College. She has been informed that her husband had been tortured to death by Sub-Inspector Abdul Mannan. She demanded justice for the murder of her husband.

Md. Shahjahan (50), Khokon's Father-

Md. Shahjahan told *Odhikar* that, since his son was brought to remand on the 10th of May, he had been keeping track of what was going on at the police station. As he was told that his son would be taken to the Noakhali court on the 12th of May, he himself went there that morning. At around 2.00pm in the afternoon he came to know that his son was very ill. The police took Khokon to the Noakhali 250- bed General Hospital instead of bringing him to court. He reached the hospital to find his son rolling on the floor of cabin no- 3. He found that due to being subject to unwarranted torture, Khokon became unable to speak but communicated to him through signals that he was tortured. His face and cheeks had swollen up from being repeatedly struck with metal rods. There were marks and scars from the beatings across his abdomen. On the tip of his fingers and toes were signs of needle piercings. Khokon pointed to his father showing him that his genitals were burned with smoking cigarettes. Both his arms were broken at the elbows and the wrists. His knees had been stomped on by heavy boots and had broken at the joints as a result. There were bruises across his thighs. He said, to put it simply, every moveable joint from

Khakan's neck to his toes were broken. His ankles had been hit with hockey sticks. Seeing Khokon in such a state, he immediately talked to police constable Golam Mostofa. The constable informed him that Khokon would be taken to Dhaka Medical College for treatment right away. Md. Shahjahan then returned home and on the 13th of May, at around 8:00am in the morning he arrived at the hospital in Dhaka. At his arrival he found out that Khokon had died. He made a call to his wife on her mobile phone and informed her that their son had died. He then contacted the hospital morgue and received Khokon's body. The postmortem was not carried out that day. On the following day, 20th May 2010, the postmortem had been conducted and at 2.00pm in the afternoon and Md. Shahjahan left Dhaka for Noakhali with Khokon's body. He arrived at their home town, Majjatpur, with the body, at 8.00pm in the evening. At 8.30 pm that evening, the burial was completed at Majjatpur. Md. Shahjahan wants justice for his son's murder, through a just and fair trial.

Rawshan Akhter (40) Khokon's Mother-

Rawshan Akhter told *Odhikar* that, on the morning of 13th of May, 2010, at around approximately 8:00am, she received a call from her husband who informed her that their son had died. At 4.35pm on the evening of the following day, 14th of May, 2010; she went to Chatkhil station and as complainant filed a charge of murder against Sub-Inspector Abdul Mannan under section 302 of the Penal code, Case number-4. Date- 14/05/2010. She has heard that, Sub-Inspector Abdul Mannan was arrested by members of the Shanaimuri police station staff.

Md. Humayan Kabir, Police Chief, Officer in charge, Chatkhil station, Noakhali

Md. Humayan Kabir told *Odhikar* that, Khokon was shown an arrest warrant for being one of the suspects of a Chatkhil station robbery case number-8, 28/10/2009. In accordance with the court order, on the 10th of May, 2010, 5.10pm, Sub-Inspector Abdul Mannan brought Khokon from the Narayanganj district jail to the Chatkhil police station lock up. Since then, Sub-Inspector Abdul Mannan questioned the defendant, at different times, on different contrivances.

Md. Humayan Kabir had heard that Khokon was an asthma patient. He told *Odhikar* that, at 11.50pm on the 11th of May, 2010, he left the police station to retire for the night in his government quarters. He left the duty officer, the sentry and Sub-Inspector Abdul Mannan at the station. Before he left, he went to check on Khokon in his cell. On the morning of 12th of May, at 1.55am, the sentry from the station arrived at his door and informed him that Sub-Inspector Abdul Mannan had beaten up the prisoner named Khokon and stomped on him with his boots. Khokon had become ill as a result of this. He then went to the station to find Khokon in poor and deteriorating health, and immediately sent Khokon to the Chatkhil sub-district hospital. Right away, he condemned Sub-Inspector Abdul Mannan for his actions. In the morning he found out that Khokon's condition had become worse. He then gave Sub-Inspector Abdul Mannan, Constable Galam Mostofa and Constable Shahid Ullah a command certificate (CC) and ordered them to take Khokon to the Noakhali General hospital. He also gave them permission to transfer him to Dhaka Medical College Hospital, if the situation further worsened. At 2:00pm on that day, Khokon was transferred from the 250- bed Noakhali hospital to Dhaka Medical College. There Khokon was admitted to bed number X-2 of ward number- 32. Khokon died at 7.00am on the 13th of May, 2010, while under treatment. From the beginning, Md. Humayan Kabir had informed Police Super, Harun-Ur-Rashid, about the situation. On 14th May, 2010, at 4:35pm Khokon's mother, Rawshan Akhter, came to Chatkhil police station and filed a murder case against Sub-Inspector Abdul Mannan under section 302 of the Penal code, Case number-4. Date- 14/05/2010. Sub-Inspector Mizanur Rahman was put in charge of the case.

In accordance with the legal provisions and under the orders of the police super, Assistant Sub-Inspector (ASI) Tafayel Ahmed prepared for the Arrest of Sub-Inspector Abdul Mannan, on the 14th of May, 2010. That evening at 5.00pm, Sub-Inspector Abdul Mannan, who was returning from Dhaka Medical College towards Chatkhil, on his way having to cross the Shanaimuri station area. He was arrested by ASI Tafayel Ahmed and accompanying police officers. At 7:55pm that evening, he was handed over to Shudharam station.

Assistant Sub-Inspector Minu Barua, Shudharam Station, Noakhali

Assistant Sub-Inspector Minu Barua told *Odhikar* that, at 7.55pm, on the night of 14th May, Assistant Sub-Inspector Tafayel arrived at Shudharam Police station with the Sub-Inspector of Chatkhil station, Abdul Mannan. According to the General Diary (GD) number-775, the police officers received Sub-Inspector Abdul Mannan as an accused, for case number- 4 at Chatkhil station. At 12.20 pm on the afternoon of 15th May, 2010, according to GD number- 807, the accused, Sub-Inspector Abdul Mannan was produced at the Noakhali court. The court sent Sub-Inspector Abdul Mannan to jail.

Constable Golam Mostofa, Chatkhil Station, Noakhali, One of the officers assigned to Khokon's treatment

Constable Golam Mostofa told *Odhikar*, that on the morning of 12th May, 2010 at 1.00am, he found out from the station barrack that, Sub-Inspector Abdul Mannan, brought a prisoner named Khokon into remand and tortured him. He was ordered by the officer in-charge, to take Khokon to the hospital after he got ill. On that order, later at 2.45 am that morning, he, accompanied by Constable Shahid Ullah and Sub-Inspector Abdul Mannan, took Khokon to the Sub-district Health Complex. There, Dr Asfarujjaman, provided the primary health care and at 3.00am he referred the patient to Noakhali General Hospital for emergency medical attention. However, the police officers did not take Khokon to the hospital as advised but delayed the transfer till 7:00am. With no improvement in the patient's condition, the attending doctor referred Khokon to Dhaka Medical College hospital. Khokon was taken there at 11.00pm that night and admitted into bed number X-2 in ward number 32.

MLSS Hamid Patawari of Dhaka Medical College Hospital, as complainant filed a charge of wrongful murder at Shahbagh Police station (Case number- 31. Date: 13/05/2010). The Investigation Officer to the case is Sub-Inspector Zalilur Rahman of Shahbagh Station. At 5.00pm in the evening, the assistant district commissioner for Dhaka and magistrate Muhammad Kamruzzaman came to the morgue and prepared a report after investigation of the deceased's body. The postmortem was completed at 2.00 pm in the afternoon on the 14th of May, 2010. Khokon's body was then handed over to his family members.

Muhammad Kamruzzaman, Assistant Commissioner and Magistrate, Dhaka

Muhammad Kamruzzaman told *Odhikar* that, on the 13th of May, 2010, on the orders of the Deputy Commissioner, at 5.00pm in the afternoon, he went to the Dhaka Medical College hospital morgue and prepared a report after investigation of Khokon's body. In his report he stated that, on the victim's left shoulder there was a swollen wound, both legs were swollen and the wounds on them had gone black. He also mentioned that Khokon was shackled. His primary conclusion was that torture was the probable cause of death, but the main operative reason for it could only be found in the postmortem reports.

Sub-Inspector Zalilur Rahman, Shahbagh Police Station, Dhaka

Sub-Inspector Zalilur Rahman told *Odhikar* that, on the 13th of May, 2010 he went to the DMC morgue to investigate the wrongful death case (case number-31), filed by MLSS Hamid Patawari. He found Khokon in handcuffs and manacles.

He informed *Odhikar*, that after he received the postmortem report he sent it to the Sub-Inspector Mizanur of Chatkhil Police station. He said that it is mentioned in the report that the cause of death was the injuries inflicted upon Khokon.

Billal Hussein, Officer in charge, Detective Branch (DB), Noakhali

Billal Hossain told *Odhikar* that, when Sub-Inspector Abdul Mannan was charged with torturing accused Khokon to death, Police Super Harun-Ur-Rashid, formed an investigation committee consisting of three members. The members of the committee were – Additional SP Abdur Razzak and ASP Ali Hussein from Begamganj circle, and the Police Super himself. On the SP's order, the matter was investigated and a

report submitted within 24 hours. Billal Hussein mentioned that, in the report, the charges brought against Sub-Inspector Abdul Mannan were primarily proven.

Harun-Ur-Rashid Hajari Police Super, Noakhali

Harun-Ar-Rashid Hajari told *Odhikar* that, on the 13th of May, 2010, as soon as Sub-Inspector Abdul Mannan of Chatkhil station was charged with murdering prisoner Khokon, he formed the 3-member investigation committee. Sub-Inspector Abdul Mannan was arrested and has been presented in front of the court. On this matter, he said, whatever judgment the court provides, will be effective. He refused to say anything more.

Dr Md. Khalil Ullah, Resident Medical Officer, Sub-district Health Complex, Chatkhil, Noakhali

Dr Md. Khalil Ullah told *Odhikar* that, at 2.45am in the morning of 12th May, 2010, Sub-Inspector Abdul Mannan, accompanied by two police Constables, admitted an unwell accuse named Khokon into the emergency ward (Registration number 288/2, attending Medical officer- Dr Asfaruzzaman).

He said that, the patient was covered in fresh bruises from neck to toe. His blood circulation was on the verge of stopping due to the injuries he suffered. The patient's condition was critical and at 3.00am on the morning of 12th of May, 2010, Khokon was referred to the 250-bed Noakhali General Hospital for advanced medical care. However, the police officers left the patient there instead carrying out the immediate transfer. When the patient's condition further deteriorated, he was transferred to Noakhali hospital at 9:00am on 12th May, 2010.

Dr. Farid Uddin Chowdhury, Resident Medical Officer, 250-bed Hospital, Noakhali

Dr. Farid Uddin Chowdhury told *Odhikar* that, at 12:10pm on 12th May, 2010, two police constables from Chatkhil Police station, named Golam Mostofa and Shahid Ullah arrived with the sick criminal and admitted him to the Emergency ward (Registration number- 2293/13, attending doctors- Dr. Suvrata and Dr. Faridul Alam). On the same day, at 12:30pm the patient was referred to Dhaka Medical College Hospital due to his worsening condition. At around 2:00pm, the police constables took the patient and left.

Dr. Faridul Alam, Khokon's medical attendant, 250-bed General Hospital, Noakhali

Dr. Faridul Alam told *Odhikar* that, due to severe bruises all over the patient's arms, legs and abdomen, the blood in his body had formed clots.

Dr.A.K.M Saifuzzaman, Doctor who conducted Khokon's postmortem

Dr. A.K.M Saifuzzaman told *Odhikar* that, he conducted the postmortem on Khokon's body and that the cause of death had been concluded in the report. He refused to share anything further.

Babul Chandra, morgue assistant, Dhaka Medical College Hospital, Dhaka

Babul Chandra told *Odhikar* that, on the 13th of May, 2010, the body of a criminal named Khokon, was brought to the morgue. Dr A.K.M Saifuzzaman conducted the postmortem on the body (Postmortem number 781). Afterwards, Sub-Inspector Abdul Mannan from Chatkhil Police station received the body and left for Noakhali. He said that even after his death, Khokon was found handcuffed and manacled. At various parts of his body there were signs that he had been tortured.

Odhikar demands independent investigation in this matter, punishment for the perpetrators and reparation for the victim's family.

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