

## Man allegedly shot to death by RAB in Kumarkhali of Kushtia

### Fact-Finding Report

#### Odhikar

On September 12, 2012 Mohammad Atear Rahman (30) son of Samsuddin Molla and Tara Khatun of Baroipara village under Ambaria Union Parishad 9 of Khoksha police station in Kushtia district was shot dead by Rapid Action Battalion (RAB) members.

Atear and his family lived as tenants in Shafi Sheikh's house in Ataikula *moholla* of Ataikula police station in Pabna district. On September 11, 2012 at around 8:00pm members of RAB-12 picked up Atear from his house. On September 12, 2012 at around 5:10am, RAB officials took Atear to a *Kashbon*<sup>1</sup> of Padma river in Chorshadipur under Kumarkhali police station in Kushtia district and shot him to death.

Note: Even though on paper Atear used to write his name as Atear Rahman, locals knew him by the name of Tofa Molla. He used to do farming in the deltas of the Padma river and ploughed lands with cows and buffalos for living. During the rainy season when the deltas flooded he used to live as tenant in different areas all around Pabna district.

Odhikar carried out a fact finding mission into the incident. During the fact finding mission Odhikar interviewed:

- Atear's relatives
- The doctor who conducted the post mortem and
- Members of the law enforcement agencies



Mohammad Atear Rahman's photo and National ID card.

### **Shyamoli Khatun (22), Atear's wife:**

Shyamoli Khatun informed Odhikar that her husband was a farmer. In order to make a living they along with their two daughters Rokaiya Akhter (5) and Sadia Akhter (7 months) left Baroipara and rented Shafi Sheikh's house in Ataikula village under Ataikula police station in Pabna district. Atear cultivated on

<sup>1</sup> Cotton fields found nearby riverside.

farmlands in Chormachhpara in the middle of the River Padma which fell between Kumarkhali police station of Kushtia district and Pabna police station of Pabna district. On September 11, 2012 at around 8:00pm, five people, identifying themselves as RAB officials came to their house and said that they wanted to talk to Atear. Atear was having dinner at the time. The RAB officials entered their house, grabbed Atear by his *lungi*<sup>2</sup> and dragged him out of the house. When she wanted to know why Atear was being taken away, one RAB official told her that they have something to talk about with Atear. Afterwards, they took Atear away in front of all the neighbours.

On September 12, 2012 at around 7:00am, she learned from a neighbour that Atear died during a gunfight with RAB in the *kashbon* of Chorshadipur under Kumarkhali police station. After hearing the news, she informed all their relatives via cell phone. She went to Chorshadipur where locals told her that last night RAB shot a man to death and took his body away. She went to their village home in Baroipara. At around 4:00pm, two relatives named Rofikul and Humayun brought Atear's body home. She observed three gunshot wounds on Atear's chest. While two bullets had come out from the back, one did not. At around 8:00pm, her husband was buried at the family graveyard. She came to know that there was a conflict between Ambaria Union Parishad chairman Nurul Islam and Atear regarding a piece of land in Chor Machhpara. The chairman was found dead after that incident. Suspecting that Atear was involved in the murder, RAB officials took him and shot him to death. She demanded punishment of her husband's killers.

**Arif Hossain (32), Neighbour, Ataikula, Pabna:**

Arif Hossain told Odhikar that Atear lived as a tenant in Shafi Sheikh's house beside Ataikula Cinema Hall. On September 11, 2012 at around 8:00pm, a few RAB officials came to Shafi Sheikh's house and asked for Atear. Atear was having dinner at that time. Meanwhile, the RAB officials entered his house and brought him outside. Atear's wife and neighbours wanted to know from the RAB officials where Atear was being taken. The RAB officials without responding took Atear with them. He said that on September 12, 2012 at around 7:10am, he came to know from Atear's wife Shyamoli Khatun that RAB officials shot Atear to death last night.

**Alauddin (35), Sailor of Shilaidoho jetty<sup>3</sup>, Kumarkhali, Kushtia:**

Alauddin informed Odhikar that on September 12, 2012 at around 6:00am, a few policemen and a police van from Kumarkhali Police Station came to the jetty. One policeman told him that they were going to take a boat and roam around the river. So he and his assistant Salman Hossain took 6/7 police officials to Chorshadipur on a boat. The police officials went to the *Chor*<sup>4</sup> while they waited on the boat. After some time a police official came to the boat and asked him to come forward with a bamboo stick and a rope. He and Salman Hossain tied the boat and went along with the police officials. After walking for some time he saw a body that had been shot. According to the instruction of the police, he tied the body to the bamboo stick using the rope. He and Salman Hossain carried the body onto the boat. They returned to Shilaidoho with the body and then put it on the van the police brought. He said that he does not know anything more about this matter.

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<sup>2</sup> Lungi- A skirt-like garment worn by Bangladeshi men.

<sup>3</sup> A structure built out into a body of water as a landing place for ships.

<sup>4</sup> Strip of sandy land rising out of a river bed.

**Lieutenant Colonel Tanvir, RAB-12, Crime Prevention Company-1, Kushtia:**

Lieutenant Colonel Tanvir informed Odhikar that a press release was issued regarding the death of Atear Hossain Molla in crossfire with RAB on September 12, 2012. He was unwilling to speak about the case filed by Inspector Mohammad Habibur Rahman.

Note: Since, Lieutenant Colonel Tanvir did not let Odhikar contact Inspector Mohammad Habibur Rahman during the fact finding mission, Odhikar collected a copy of the FIR (First information report) of the case from Kushtia court. Inspector Mohammad Habibur Rahman mentioned in the FIR that at around 2:00am he and some RAB officials went to Kumarkhali police station for patrol duty. He came to know from a secret source that unknown extremists were having a meeting with arms and ammunitions in the *chor* of the River Padma in the Kushtia-Pabna district border. Upon hearing the news, he went to Shilaidoho jetty and started towards the scene of incident on a boat at around 3:20am. In the meantime when the miscreants came to know about the presence of RAB, they tried fleeing the *kashbon* area of Chorshadipur in Kumarkhali of Kushtia district using an engine-run small boat. He signalled them to stop the boat but as they did not do so he began chasing them. At one point the boat got stuck at the *chor*. At around 5:10am when his boat came near their boat one miscreant began firing, aiming at the RAB officials. He and the RAB officials fired back in order to save themselves. At one point the miscreants fled with the boat. He informed the Officer in-charge (OC) of Kumarkhali Police Station Mohammad Abdur Razzak about this incident. Officer in-charge Mohammad Abdur Razzak came to the scene of incident with SI Gokul Chandra Odhikari. He then searched the area and found a man wounded by gunshot. Five LGs, two rounds of ammunition and five chisels were found lying beside the man. He made a seizure list and took the signatures of Shilaidoho jetty's fishermen Alauddin and Mohammad Salman Hossain. He inspected the body and found the man to be dead. The witnesses informed that the dead man is Mohammad Tofa Molla (30), youngest son of Mohammad Samsuddin Molla of Baroipara village under Khoksha police station. He came back to Khoksha police station and filed a case as the complainant under section 353/307/302 of the Penal Code against unknown people for obstructing duties of the public servants. Case number: 6; Date: 12/09/2012. Moreover, he filed another case under section 19-A of the Arms Act of 1878 against some unknown people for possessing illegal arms. Case number: 7; Date: 12/09/2012. The investigating officer of both the cases is SI Gokul Chandra Odhikari.

**SI Gokul Chandra Odhikari, Kumarkhali Police Station, Kushtia:**

SI Gokul Chandra Odhikari told Odhikar that on September 12, 2012 at around 5:30am, he and officer in-charge (OC) of Kumarkhali police station Mohammad Abdur Razzak went to Chorshadipur. He saw the body of a man lying there, with shots claiming his life. After preparing an inquest report of the body, he sent it to Kushtia General Hospital for post mortem. Medical Officer Dr. Pijush Kumar Saha carried out the post mortem on the body. The body was handed over to the family after completion of the post mortem. He said that the Deputy Assistant Director of RAB Inspector Mohammad Habibur Rahman filed two cases as the complainant regarding this incident. He is investigating both the cases himself. As the cases are under investigation he was unwilling to speak any further about this matter.

**Mohammad Abdur Razzak, Officer in-Charge, Kumarkhali Police Station, Kushtia:**

Mohammad Abdur Razzak informed Odhikar that, the man who died in crossfire between RAB – police and miscreants on September 12, 2012 in Chorshadipur was accused in the murder of Ambaria Union Parishad Chairman Nurul Islam. He was unwilling to speak any further about this matter.

**Dr. Pijush Kumar Saha, Medical Officer, 250-bedded General Hospital, Kushtia:**

Dr. Pijush Kumar Saha told Odhikar that, on September 12, 2012 at around 9:00am the police of Kumarkhali Police Station brought the dead body of a man named Atear to the morgue for post mortem. He did the post mortem of the body. He said that there were marks of three gun shots in the body.

**Laxman Lal, Morgue Assistant, 250-bedded General Hospital, Kushtia:**

Laxman Lal informed Odhikar that, on September 12, 2012 at around 9:00am the police of Kumarkhali Police Station brought the dead body of a man named Atear to the morgue for post mortem. He assisted Dr. Pijush Kumar Saha during the post mortem of the body. He said that there were marks of three gun shots on the chest of the dead body.

**Abul Kashem Pramanik (40), the person who performed the bathing ritual of the dead body:**

Abul Kashem Pramanik told Odhikar that, on September 12, 2012, when he heard about the death of his acquaintance Atear, he went there and performed the bathing ritual of the corpse. The corpse had three gunshot marks. Two bullets had penetrated the body through the back. There were also marks of ropes being tied on his wrists. At around 8:00pm Atear was buried at his family graveyard.

**Odhikar's view:** Due to the violation of laws and misuse of authority by the members of the law enforcement agencies of Bangladesh the extrajudicial killings are going on. Instead of handing over Mohammad Atear Rahman alias Tofa Molla to the court after arrest, he has been shot to death. Moreover, RAB officials, in an attempt to make Atear's body unidentifiable, named him Mohammad Tofa Molla (35) and his father Mohammad Chha-Molla alias Samir Uddin Molla instead of writing Shamsuddin Molla in the FIR. Odhikar demands that the perpetrators be brought under trial through a fair and impartial investigation of this killing.

-End of Report-