



Allegations of torture on timber merchant Mohammad Rezvi Hasan after being detained at the police station during remand

Fact finding report
Odhikar

Mohammad Rezvi Hasan is the youngest son of Late Mahbubul Alam and Late Nurjahan Begum and a resident of Alambari village under Fatikchhari Upazila in Chittagong District. He was arrested by policemen of Haathazari Police Station in front of Bashundhara Hotel at Bibirhaat Bazaar on March 26, 2013 at around 5:00 pm. He was allegedly tortured after being detained for 9 days in the police station. The family members of Rezvi Hasan got information about his arrest from released detainees of Haathazari Police Station and went there but could not meet Rezvi. However, Rezvi's brother saw Rezvi unconscious on the floor in a back room. Rezvi's family had to pay the Sentry to supply him with food and water when he was detained in custody. On April 4, 2013, he was produced before the court as an accused in a robbery case and another case under the Arms Act which were filed with Fatikchhari Police Station. On the same day, police brought him back on a five-day remand under a robbery case and a two-day remand under the arms case. During the remand, police tagged Rezvi Hasan in another robbery case and another case under the Arms Act and got another four-day remand. Family members of Rezvi alleged that Rezvi was detained for 13 days and tortured throughout the 11-day remand period. Assistant Superintendent of Police (Circle) of Haathazari Zone, AFM Nizam Uddin led the operation against him.

Odhikar conducted a fact finding mission into this matter and talked with-

- Mohammad Rezvi Hasan
- Reshma Akhter, the wife of Rezvi Hasan
- Relatives of Rezvi Hasan
- Eyewitness
- Rezvi's lawyer
- Members of the law enforcement agency

Mohammad Rezvi Hasan, victim of torture

On May 13, 2013 Mohammad Rezvi Hasan talked to Odhikar from inside the court custody cell. He said that he was the youngest of two brothers and one sister. He gave up studies in 2009 and started a business by renting a shop. He got married in 2010. At the end of 2010, his business folded due to huge losses and he joined an insurance company. He left that job and started to look after his ancestral property as his elder brother Nizam Uddin went abroad. He also joined some of his friends in a timber business. At the end of December 2012, he helped one of his friends, Jahangir to sell his microbus. Jahangir wanted to give Rezvi Tk. 5000 for his help. However, Jahangir did not give him the money. As a result, an altercation took place between Rezvi and Jahangir. On March 26, 2013 at around 2:30 pm, Jahangir called him and told him to

come to Bibirhaat and receive the money. Rezvi met Jahangir at Bibirhat, and drank tea at Bashundhara Hotel in the market. After tea, Rezvi wanted to come out of the hotel several times but Jahangir insisted they sit there for a little while. At around 5:00 pm, a group of police came and surrounded him and forcibly took him into a vehicle and brought him to Haathazari Police Station. At around 10:00 pm, Sub Inspector (SI) Sharif and some other policemen started to beat him with sticks. They wanted to know the whereabouts of some terrorists including Bali Mansur. They started beating him again when he said that he did not know anyone called Bali Mansur. After that, at around 12:00 am, policemen gave him an injection and his head became heavy. When Rezvi was almost unconscious he was taken to the house of a person named Solaiman beside “Chor Hill” of Bhola Chola under Fatikchari District. From there, a man called Bali Mansur was arrested. After that, policemen asked both Bali Mansur and Rezvi Hasan to bring out arms and started beating both of them. After a few minutes, they were taken back to Haathazari Police Station, where they were given injections and fell unconscious. Rezvi said he awoke in the evening and found himself in police custody cell. He saw a man secretly talking on a mobile phone, standing in a corner of the custody cell. Rezvi gave the man his sister’s number and requested him to inform her about his situation.

On March 27, 2013 at around 1:00 am, Rezvi Hasan and Bali Mansur were taken to a room on the first floor of the police station. A group of police led by SI Shariful Islam, asked them to bring out arms and started beating them. They were beaten several times that night. The policemen beat them on every joint of their body and also smashed the tops of their fingers. After being tortured the whole night, they were given injections in the morning which made them unconscious again. On March 28, 2013 in the evening, after gaining consciousness, a Constable gave him a plate of food, but Rezvi could not remember what he had been given. At night, they started torturing them again. Sometimes, they gave the men electric shocks in their fingers. In the morning they were given injections. Similarly, on March 29, 2013 after dinner, they were taken to torture cell again. SI Mithun and SI Anis were with SI Sharif. After being beaten for several minutes they wrapped Rezvi’s head with cloth and poured on pepper water. The pepper water entered his throat with burning irritation. On that night, after torture Bali Mansur was taken away from the police station. On March 30, 2013 they gave Rezvi an injection and made him unconscious again. In the afternoon, policemen sprinkled water on Rezvi’s eyes and mouth. Then they tied a rope around his waist and picked him up on vehicle from police station. After some time, he was brought back to the police station again. He was tortured every night till April 2, 2013. On April 3, 2015 at around 2:00 am, he was put into a car and ASP AFM Nizam Uddin followed in another car. At around 2:30 am, police brought Rezvi to the Jhongkar Cinema Hall area of Nazirhat in Fatikchari. He was pulled out of the vehicle and beaten. Then he was taken to an abandoned house at North Paidong Sakin area. From there, they arrested some other men and took their signature on a blank sheet of paper after writing something on it. Later he was taken back to Haathazari Police Station from Fatikchari Police Station. Rezvi said that in the morning, some policemen came and took his signature on four or five blank and written papers, but he did not know the reason for this. On April 4, 2013 at around 12:00 pm, Rezvi was sent to court. There he heard that police had found a few arms with him. He also got to know that a robbery case and a case under the Arms Act had been filed against him. The police sought 20 days of remand. The court approved a five-day remand in one case and two-day remand in another case. After that he was brought back to Haathazari Police

Station and the torture continued. Rezvi was detained in custody the whole day and tortured at night. On April 9, 2013 at around 2:30 am, he was taken to a hillock near Kanchannagar in Fatikchhari. They made Rezvi stand in front of a house and called 3/4 people of that area and made them to sign a blank paper. After that he was taken back to Haathazari Police Station. The next day, April 12, 2013 they took him to court again. He learned that police found some more arms from him on April 9, 2013. Police applied for another 10 days of remand. This time, Rezvi informed the court about the torture inflicted on him. The court did not consider his words and granted three-day remand. In the afternoon, he was taken back to Haathazari Police Station and the torture continued. He was detained for five days though remand was granted for three days. On April 17, 2013 the police took Rezvi to Court again. Police asked for a five-day remand after showing him as an accused of another robbery case under Rangunia Police Station. The court approved a one-day remand. Rezvi was not tortured in Rangunia Police Station. After the remand period, when he was sent to jail, he had been ill. Then the jail authority gave him treatment in hospital.

Reshma Akhtar, wife of Rezvi Hasan

Reshma Akhtar informed Odhikar that in March 2013, she went to her father's house in Moulvibazaar. She was there when Rezvi Hasan was arrested. On March 26, 2013 Rezvi was supposed to go Moulvibazaar to bring her back. At around 3:00 pm, Rezvi called her and said that Jahangir had called him to go to Bibirhaat to collect the Tk. 5000 that was owed to him. Rezvi told her that if he could back with the money soon then he would travel today otherwise he would come next day. She had not been able to reach Rezvi after 5:00 pm on March 26. She called her brother-in-law, sister-in-law and other relatives about her husband but could not get any information. The next day at around 11:30 pm, her brother-in-law, Nazim Uddin called her and said that he had information from a man from Haathazari Police Station that Rezvi had been and detained. On March 28, 2013 Reshma Akhtar came back to her in-laws house with her mother. At around 4:00 pm, her brother-in-law returned from the police station. He said that Rezvi was in the police station but policemen did not allow them to meet. On March 30, 2013 she, her two children and mother went to Haathazari Police Station. She requested the duty officer to allow her to meet her husband but the duty officer told her that there was no accused person in the police station named Rezvi Hasan. She was crying with her two children in front of the police station, and a while later a Constable named Kamal told her in low voice that Rezvi would soon be taken to the court and that she could see him when he was entering the police van. Reshma waited outside the main gate. At around 4:30 pm, four policemen tied a rope around Rezvi's waist and dragged him into a black microbus which was kept in front of the police station. At that time she could see that he could not walk and was looking drugged. Then she and her brother-in-law, Nazim Uddin ran after the vehicle but the vehicle was too fast. She asked Nazim Uddin to go to the court while she returned home. Nazim informed her at night that police did not take Rezvi to the court; they brought him back to the police station. After that she did not go the police station.

Mohammad Nazim Uddin, Rezvi's elder brother

Mohammad Nazim Uddin said that Rezvi left the house on March 26, 2013 at around 1:30 pm, taking Taka 12,200 with him. He was supposed to go to his in-law's house after buying tin sheets for house and some other things. When the tin was not delivered in the afternoon, he

called Rezvi's cell phone; but found it switched off. Nazim Uddin searched for Rezvi but did not find him. On March 27 at around 10:00 pm, a man named Saddam Hossain, a resident of Muhurighat area of Haathazari, informed Nazim Uddin over cell phone, that Rezvi was in Haathazari Police Station. In the afternoon of March 26, 2013 police arrested him. Saddam also said that Rezvi was in police custody since morning for the allegations of vandalizing vehicles. When he was in custody, Rezvi gave Saddam the number and requested him to inform his family about his situation. In the morning of March 28, 2013 Nazim Uddin along with his uncle Rustom Ali went to Haathazari Police Station, but the duty officer said that there was no arrestee in this police station named Rezvi Hasan. There, Nazim Uddin met a journalist he knew and told him about the matter. The journalist went to the police station and said that the police had denied the arrest of Rezvi Hasan, but Rezvi's name was in the list of alleged persons and a 'cross' mark was seen beside his name. They lingered inside the police station for a while. At around 1:30 pm, Nazim Uddin went to the bank of a pond which was behind the police station and through a window he saw Rezvi lying unconscious on the floor of a room. He did not say anything to anybody and returned to Fatikchari. In the evening, the family informed Shafiul Alam, Chairman, Rosaingiri Union Parishad, about the matter.

On March 29, 2013 at noon he accompanied the Chairman to Haathazari Police Station. The duty officer Sub Inspector Mithu Chakma denied Rezvi's detention in custody, but when Nazim said that he had seen Rezvi, then the duty officer said that the matter was under circle ASP and he was not allowed to give any information. They could not talk to the circle ASP because he was not present. After waiting for some time, the Chairman left the police station but he stayed. On that day, he gave money to a sentry to get food to Rezvi. He gave Tk. 200-300 everyday for this, till April 4, 2013. Cases were filed against Rezvi on April 4, 2013 and he was sent to the court on April 5, 2013. He informed the matter to a lawyer, who was acquainted with him. On April 5, 2013 at around 12:00 pm, the lawyer informed Nazim about Rezvi's submission to the court. Nazim saw Rezvi sitting in a corner of the court custody cell. Seeing Nazim, Rezvi stood up, but he could not walk. Rezvi's face was distorted in pain. Different part of his body, including face, hands and legs were swollen and clotted with blood. Rezvi told Nazim that police had been torturing him for nine days. According to the direction of the ASP (circle), several policemen led by SI Sharif tortured him every night. They also gave electric shocks to his hands and penis. They tied his hands behind him, gagged him and beat the soles of his feet. Sometimes, they hung him upside down. Rezvi was sent to a total of 11 days remand under four cases in Fatikchari and Rangunia Police Stations. Officially, Rezvi was brought to remand in Fatikchari Police Station but actually he was kept in Haathazari Police Station and he was tortured in remand there.

Mohammad Enayetullah, Hotel Manager, Basundhara Hotel, Bibirhat

Mohammad Enayet Ullah told Odhikar that on March 26, 2013 two people came to his hotel and ordered snacks. One sat next to the wall. They were there for more than half an hour. After eating, the man who sat next to the wall, wanted to leave, but the other person insisted he sit there a while longer. Half an hour later, a man came and handcuffed the man who wanted to leave; and dragged him outside the hotel. Later Enayetullah got to know that arrested person's name was Rezvi Hasan.

Mohammad Solaiman, Eyewitness

Farmer, Mohammad Solaiman, son of Late Tofail Ahmad and resident of Bholar Pahar, Kanchanpur, Fatikchari, told Odhikar that Bali Mansur was his nephew. He was in jail for the kidnapping and killing of businessman Jamal Uddin. After getting out of jail, Bali Mansur was staying in Solaiman's house and helped Solaiman in farming. On March 26, 2013 at around 4:00 am, some policemen entered his house. They were searching for Bali Mansur. Solaiman came out of the house and saw Rezvi in handcuffs along with several more. Rezvi pointed out Bali Mansur. Immediately, police started to beat Bali Mansur. After several minutes, police asked them to bring out arms; but Bali Mansur denied having any. Then police told him to dig in a few places on the floor in their house with a spade. Police did not find anything from the places they dig. Then they came out of the house and started to beat Rezvi and Bali Mansur together. After beating them for several minutes, they put them in a vehicle and went away.

Mohammad Shafiul Islam, Chairman, Rousangiri Union Parishad

Mohammad Shafiul Islam told Odhikar that on March 28, 2013 at around 8:00 Nazim Uddin, brother of Rezvi Hasan came to him and told him that Haathazari Police Station had arrested Rezvi. Nazim requested him to go to the police station. On March 29, 2013 he along with Nazim went to the police station at 10:30 am. The duty officer SI Mithu Barua denied the detention of Rezvi. Nazim then took Shafiul to a corner of the police station and pointed out to a room. Nazim said that he saw Rezvi in that room through a window. When Shafiul asked about the person lying inside the room, then duty officer said that he did not know anything about that because that person was circle ASP's arrestee. The men went to circle ASP's office but did not find him. At around 12:30 he left the ASP's office.

Advocate Mohammad Saiful Azim, Lawyer of Rezvi Hasan

Mohammad Saiful Azim told Odhikar that Rezvi appeared to the Chittagong Metropolitan Magistrates Court as an arrested accused of a robbery case file in Fatikchari Police Station (Case no. 01/13, dated 06/02/13, Section 395/397 of the Penal Code) and another case of keeping illegal weapons, under the Arms Act filed in Fatikchari Police Station (Case no. 02/30, dated 04/04/2013). Police applied for 10 days remand in one case and another 10 days remand in the other. The court approved five days of remand in one case and two days of remand in the other. He did not know all the facts because it was first day of the hearing. He got to know from Rezvi's family 10 days ago that Rezvi was tortured. After the end of the first case's remand period, police applied for another 10 days remand for a case regarding the recovering of illegal arms, filed in Rangunia Police Station (Case no. 05/38, dated 10/04/13). As a lawyer, he talked with Rezvi in the court custody before he was presented. Rezvi told him that police tortured him mercilessly and implicated him in a fake illegal arms recovery case. Rezvi showed him the torture marks on his body. He suggested that Rezvi described these before the court. After appearing before the court, Rezvi described the torture on him. The court did not consider these and approved of another three-day remand. On February 11, 2013 police applied for five days of remand for Rezvi as an accused person in the robbery case filed at Rangunia Police Station (Case no. 08/20, dated 11/02/13, Section 395/397 of the Penal Code). Rezvi was tortured during every remand. Saiful Azim said that after reviewing the cases, he believed that because of personal enmity police took Rezvi to remand again and again only for torture.

Shariful Islam, Sub Inspector (SI), Haathazari Police Station

SI Shariful Islam told Odhikar that he did not know anything about this incident. He said he was not connected with the case or the accused person. He had never heard of the name Rezvi Hasan before.

Manjur Kader Majumdar, OC (Investigation), Fatikchari Police Station

Manjur Kader told Odhikar that there were some allegations of robbery, terrorist activities and arms trading against Rezvi Hasan. Police had been trying to arrest him for a long time. On April 4, 2015 at around 1:00am police conducted an operation and arrested Rezvi Hasan from behind of Jhongkar cinema hall in Nazirhaat. On that night, according to his confession, police recovered one local light gun, one local pipe gun, three rounds of 303 rifle bullets and three rounds of shot gun bullets from an abandoned prayer house of a farm house belonging to Bina Company at North Paindong Sakin. Furthermore, according to his confession given after interrogation, police recovered a local pipe gun and two rounds of bullets from a house on a hillock at Kanchannagar Union. Manjur Kader said that Rezvi had been interrogated in Fatikchari Police Station and also in Haathazari Police Station under ASP of Hsathazari zone circle. However Manjur Kader claimed that Rezvi was not tortured at Fatikchari Police Station.

AFM Nizamuddin, Circle ASP, Haathazari zone

AFM Nizamuddin told Odhikar that Rezvi Hasan was a listed terrorist. There were several cases related to owning arms and robbery against him. On April 4, 2013 at night, police arrested him with illegal arms. On April 5, 2013 he was brought to remand through the court and after interrogation, according to his confession, police recovered arms. ASP Nizamuddin said that there are some rules for interrogation in remand. Police never cross the limits of those rules. There was no basis for the allegations of torture on him. He said that he did not know anything about Rezvi's arrest on March 26, 2013.

Odhikar's comment

Notwithstanding any allegation against anyone, everyone has the right to get legal assistance. Detaining someone more than 24 hours after arrest, is the clear violation of the Constitution and the existing law. Odhikar demands justice for torturing Rezvi Hasan through an independent and impartial trial.