

## RIGHT TO LIFE

*This chapter describes the incidents of extra-judicial deaths by law enforcement agencies, including border forces, mob violence and in inter party conflicts. It shows how delays in trials have led to impunity for the perpetrators and a miscarriage of justice.*

The right to life, being the “supreme right” of any individual,<sup>1</sup> the state is bound to ensure its enforcement under Articles 31 and 32 of the Constitution, and also under its international treaty obligations.<sup>2</sup> Under international law, there may be no derogation from this right even during a state of emergency.<sup>3</sup>

### Extra Judicial Killing: “Crossfires and Encounters”

Since 2004, after formation of the State’s ‘elite’ force Rapid Action Battalion (RAB) the word “crossfire” has been increasingly resorted to by law enforcing agencies. The official narrative in such cases follows a wearily familiar pattern – thus the story goes, “after the arrest of infamous terrorist “A” leads were found to an illegal arms location. And during a crackdown at this arms location other terrorists attacked and in that crossfire terrorist “A” was killed.” Such crackdowns at the arm locations invariably take place in the early morning and the neighbourhoods around these crossfire are unable later to confirm having heard any gun shots, and even if they did they were limited to only the number of people that were killed. There is serious and mounting concern that such incidents of “crossfire” are in fact deliberate killings.

According to the data compiled by ASK’s Documentation Unit, in 2008 175 extra-judicial killings took place, compared to 180 in 2007. An important point to be noticed here is that the number of killings without arrest in 2007 were 81 and in 2008 it was 127.

**Table IV. 1: Death by Law Enforcing Agencies 2008<sup>4</sup>**

Law Enforcement Agency	RAB	Police	RAB & Police	Joint Force/Army	BDR	Total
<b>Nature of Death</b>						
"Crossfire" (without arrest)	68	42	11	-	6	127
"Crossfire" (in custody)	10	20	1	-	-	31
Physical Torture (without arrest)	-	2	-	-	-	2
Physical Torture (in Custody)	-	4	2	1	-	7
Sick (in Custody)	4	2	-	-	-	6
Suicide (in Custody)	-	2	-	-	-	2
<b>Total</b>	<b>82</b>	<b>72</b>	<b>14</b>	<b>1</b>	<b>6</b>	<b>175</b>

1 General Comments 6(16), UN GAOR, Doc.A/37/40, p.93 ; Doc. CCPR/C/21/ Add.I. Adopted by the Human Rights Committee in 378th meeting (July 1982).

2 In 1998, Bangladesh ratified the Convention against Inhuman or Degrading Treatment or Punishment (CAT) and in 2000, International Covenant on Civil and Political Rights (ICCPR).

3 Article 141.

4 ASK Documentation Unit.

ASK has consistently protested the increasing resort to extra-judicial killings through the means of “cross-fire” and has noted this year that “*Crossfire, Encounter or Gun Fight - whatever name is given - the explanation by the Government about these systematic killings without arrests is doubted and questioned by the general people.*”<sup>5</sup>

Two examples of extra judicial deaths by law enforcement agencies are given below.

**Cross-Fire in Savar of ‘Dacoits’ sleeping in their Beds:**<sup>6</sup> In Savar thana of Dhaka district, on 22 April 2008, in a gun fight with RAB, Md. Alam (age 27 years, son of Md. Shahidullah, village Dubarai, Savar, Dhaka), Badshah Mia alias Bashir (age 29 years, son of Sultan Mia, Village Shibpur, Savar, Dhaka) and Nuruzaman Anis (age 27 years, son of late Kutub Uddin, Village Bara Deshi, Savar, Dhaka), were killed. ASK inquiries confirmed that on 22 April at about 1 am RAB picked up the three men from their homes in Uthuli, Manikganj district and took them to Savar near Aminbazar. According to local persons four/five gunshots were heard at around 4 am from the Shamoli Gas Station, Savar. When locals arrived there in the morning they found three dead bodies and some RAB personnel in a car. ASK’s investigation team confirmed that at Savar Police Station, RAB 4 (Manikganj Camp) had lodged two FIR (No. 57 and 58, dated 22 April 2008), but without mentioning information on the arrests. In the FIRs it was alleged that on April 22 at 12:15 am RAB members left to catch three terrorists with their weapons. At approximately 4:15 am the individuals who were killed were planning on committing major crimes and entered the Savar brickfield area. After this group started shooting at RAB, the latter to protect themselves fired 14/15 shots in the air. The FIRs stated that weapons were found in the location where the three were killed.

It is to be noted that RAB denied taking them captive. The cases were being investigated by the police, but the outcome was unknown.

**Fokir Chand dies in police custody:**<sup>7</sup> Mohammad Fokir Chand, 35 years, s/o Md Motahaer Ali, a bus driver, was found dead at Narayanganj Police Station. After his arrest by the police on 13 April 2008, his wife was informed by the police that he had stolen Taka 1,000,000 from Santu Filing Station at Shiddhirganj in Narayanganj district on 6 April. The Manager of the Filing Station, Shohel Rana lodged an FIR,<sup>8</sup> but did not name Fokir Chand. SI Babul Akhtar of Shiddhirganj police station was appointed Investigating Officer (IO) of the case. The Police kept Fokir Chand’s wife at the station all day and refused to let her see her husband when she came the next day with food for him. Rahela went to the police station for three more days on the 15, 16 and 17 April - but she was not allowed to see her husband. She then filed a written application with Narayanganj Police Head Quarters; they kept it but would not issue an official receipt. On 17 April 2008 Rahela learned that her husband had been taken into police remand in Shiddhirganj Police Station. She could not meet him there either. On 19 April, when television reporters came to her house, she first learned that her husband had died in custody.

ASK made further inquiries and learned that Fakir Chand died in the district DB (detective branch) office. The DB office stated that the Shiddhirganj police brought four other people along with Fakir Chand for remand. SI Babul Aktar came to the DB office as an investigating officer of this murder case, on 18 April. Around 12:00 am on 19 April, Fakir became sick, was hospitalised and died, according to a press briefing by the Narayanganj Police Superintendent. In this briefing Chan was described as a ‘*shontrashi*’ [gangster] and accused of having fired a gun and explosion in front of the Sonali Bank, Godail Branch located in Narayanganj, and having stolen one million taka from the gas station owner Md. Sohel Rana. A report on this incident was filed at the Shiddhirganj

5 “Death in Crossfire and Ain o Salish Kendra’s concern”, ASK’s press release, 30 July 2008.

6 ASK Investigation, dated 23 April 2008. See also *Janakantha*, 23 April 2008.

7 ASK Investigation, dated 22 April 2008. See also, Abu Ahmed Md. Faizul Kabir, “Death in Police Remand”, ASK Bulletin, June Issue, Page 18.

8 Shiddhirganj PS Case No. 8 of 6 April 2008.

police station on 6 April, in case number 8, under section 394 of PC. The police then claimed that based on secret information, five other suspects including Fakir Chand, were arrested. The police could only recover Taka 140,000 after arresting them. During the enquiry the accused confessed having hidden the gun at Jashim's place in Sanarpara. The police retrieved a 'revolver-32' and two rounds of bullets on 18 April. When he tried to escape with his hands tied, the police arrested him. He fell off while trying to run in the dark and was severely injured. While in the DB office for further investigation about the missing cash, Fakir Chan reportedly complained of chest pains, and was admitted to the nearest local Khanpur hospital. The doctor declared Fakir Chan had already expired. A UD case had been filed on this issue.<sup>9</sup>

ASK learned from the medical team that Chan was already dead when the police brought him to the hospital for admission, that he had noticeable injury marks all over his body; and both of his legs bore deep wounds. The Magistrate Anwarul Haque mentioned in *Surahatal* (inquest) report that, "he had bruises on his nose, both arms and starting from his knees up to his ankles. His urinary tract was severely wounded as well."

### Deaths in Prison

Of the 72 prisoners who reportedly died in prisons across six divisions, 31 died in the Dhaka (see Prisoners' Rights Chapter).<sup>10</sup> There was no information made available on the cause of death in any case.

### Death Penalty

Although Bangladesh has ratified CAT which prohibits the death penalty, it continues to be applied under existing laws, for example for offences such as rape or trafficking. This list was supplemented by a raft of offences established under the Anti-Terrorism Ordinance 2008, promulgated on 11 June 2008. In its reaction to the approval of this Ordinance by the Council of Advisors, ASK expressly noted its opposition to the death penalty and remarked on the dangers to basic civil liberties in the wake of such legislation:

"...implementation of such stringent laws do not bring any positive outcomes in a weak and democratic country, such as Bangladesh. In many cases, we come across violations of human rights and defiant responses to such laws. We believe that in order to prevent terrorist acts we should rather stick to the applicable law and apply it if necessary with amendments, rather than creating a special law."<sup>11</sup>

This Ordinance contains a dangerously wide definition of terrorism: '...any act that poses a threat to the sovereignty, unity, integrity or security of Bangladesh or creates panic among the general masses or obstructs official activities'.<sup>12</sup> It defines a terrorist activity as a person killing another, inflicting serious injuries, detaining or kidnapping, or causing loss of property to any person, as well as using or keeping any explosive and flammable materials, firearms or any kind of chemical substances in his or her possession.<sup>13</sup> The previous anti-terrorism law enacted in 2004 was widely abused to harass political opponents or powerless persons.

### Violence between political party cadres

Given the continuance of the SoE till mid December, political activities were limited, leaving less scope for acts of extreme political intolerance. Despite these restrictions, a number of persons died or were injured in political confrontation. In AL vs. BNP collision 45 persons were injured and one died, AL vs. Shibir collision 25 persons were injured and in BNP vs. BNP collision 55 persons were injured and one died.

<sup>9</sup> Narayanganj PS UD Case No. 9 of 19 April 2008.

<sup>10</sup> ASK Documentation Unit.

<sup>11</sup> "Upodeshta porishode sontrash birodhi odhdhadesh 2008 onumodon; Ain o Salish Kendra (ASK) er obhimot", ASK Press Release, 20 May 2008.

<sup>12</sup> Anti-Terrorism Ordinance 2008, section 2.

<sup>13</sup> *Ibid*, section 6.

Table IV.2: Political Violence in 2008<sup>14</sup>

Political Parties	Incidents	Injured	Killed
AL vs. BNP	3	45	1
AL vs. Shibir	2	25	-
<b>Inter-Party Clash</b>			
BNP vs. BNP	1	55	1
<b>Total</b>	<b>6</b>	<b>125</b>	<b>2</b>
<b>Police vs. Political Parties</b>			
Police - BNP	1	100	-
<b>Grand Total</b>	<b>7</b>	<b>225</b>	<b>2</b>

### Medical Negligence

Despite the articulation of proper and effective public health treatment as a fundamental principle of state policy in the Constitution some,<sup>15</sup> 52 (till 23 October) persons reportedly died due to medical negligence.<sup>16</sup>

### War Crimes/Genocide

In 2007-2008, as the Sector Commander's Movement for trial of war criminals gathered steam, several private prosecutions were initiated:

- On 17 December 2007, Commander Muzaffar Ahmed, a freedom fighter, filed a murder case against nine individuals including Jamat's Amir Motiur Rahman Nizami, Secretary General Ali Ahsan Mohammad Mujahid and Joint Assistant Secretary General Abdul Qadir Mollah and Muhammad Kamruzzaman. The Court directed filing of the case with Keraniganj Police Station on 1 January 2008 in Dhaka's Keraniganj thana.<sup>17</sup>
- On 24 January, Amir Hossain Mollah, a freedom fighter, filed a case in Dhaka's CMM Court against Nizami, Mujahid Qadir Mollah and 60-70 others.<sup>18</sup>

However, no state investigation or prosecution was launched during the year with respect to persons alleged to have committed war crimes.

Under the International Crimes (Tribunal) Act, only the Government can initiate any prosecution on war crimes, crimes against humanity or genocide. No steps to hold such trials have taken place since 1974.

In an important development, the Election Commission declared that convicted war criminals cannot participate in local and national elections taking place this year.

#### BOX IV.1: List of War Criminals

On 3 April 2008, the War Crimes Fact Finding Committee published a list of 1,597 war criminals.<sup>19</sup> Thirteen researchers conducted a nine year long countrywide study to prepare this list. The list included the names of Jamat i Islami leaders Golam Azam, Motiur Rahman Nizami, Ali Ahsan Mohammad Mujahid, Delowar Hossain Saidi, Abbas Ali Khan, Abdul Kader Mollah, BNP leader Salauddin Qadir Chowdhury and several

14 ASK Documentation Unit.

15 Article 15 says that it shall be a fundamental responsibility of the State to secure to its citizens the provision of basic necessities of life, including food, clothing, shelter, education and medical care. Article 18 says that the State shall regard the raising of the level of nutrition and improvement of public health.

16 ASK Documentation Unit.

17 "Obosheshe Nizami-Mujahid gong-er biruddhe hottya mamla grohon", *Jugantor*, 2 January 2008.

18 "Nizami-Mujahid-der name aro akti hottya mamla", *Sangbad*, 25 January 2008.

19 "1597 judhhoporadhider talika" *Shamokal*, 4 April 2008; "der hajar judhhoporadhi chinhito", *Sangbad*, 4 April 2008.

influential ministers, members of Parliament and of the previous BNP led Government.<sup>20</sup>

In a surreal development, accompanying the mounting campaign for trial of war criminals, Jamat i Islami followers established an organization called the “*Jatiya Muktijoddha Parishad*” (National Freedom Fighter’s Forum).<sup>21</sup>

### **Gonopituni (mob assault)**

Mob assault demonstrates an extreme example of public lack of confidence in the justice system. Such incidents of mob violence on alleged dacoits and robbers were reported from Norshingdi, Chittagong, Kachua, Damudia, and Natore.<sup>22</sup> In a particularly disturbing development, where the public and law enforcement agencies colluded in committing such an extra-judicial killing, a group of alleged muggers was reported to have died of “mass-beating and crossfire”.

**Table IV.3: Border Killings in 2008** (Till October)<sup>23</sup>

Division	Dhaka	Khulna	Rajshahi	Sylhet	Total
<b>Nature of Violence</b>					
Shot	-	21	28	2	<b>51</b>
Injured	1	16	30	2	<b>49</b>
Kidnapped	-	3	14	2	<b>19</b>
Death from physical torture	-	1	1	-	<b>2</b>
<b>Total</b>	<b>1</b>	<b>41</b>	<b>73</b>	<b>6</b>	<b>121</b>

### **Border Killings**

Every year cross border firing by Indian Border Security Force (BSF) has reportedly violated the right to life. This year, according to ASK reports, 51 persons were killed in such incidents, 49 were injured and another 19 were abducted.<sup>24</sup> The main reason for such deaths is, reportedly, border crossing.

### **Continuing Impunity**

#### *Cholesh Richil*

No steps were taken by the Government to bring to trial those responsible for the custodial death of Cholesh Richil, an Adibashi leader of Modhupur, in March 2007. The findings of the Enquiry Commission, set up after his death, were not made public. ASK noted that while establishing the commission was an important measure to probe into the cause of Cholesh Richil’s death and ensure justice, it’s delayed publication had resulted in ‘*a roadblock, denying justice to Cholesh Richil, his family, indigenous people and all citizens of Bangladesh [and was] an impediment to establishing the rule of law in the country.*’<sup>25</sup>

#### *Ramna grenade attack*

20 By 19 April 1975, 37,471 individuals were arrested for war crimes and 752 were convicted. “*Shuru Hoyeo jebhabe thomke gache judhhoporadher bichar*”, *Shamokal*, 27 January 2008.

21 “*Jatio Mukti jodhha porishoder dui-hajar protinidhir 1150 jon-e jamaat-er rukon*”, *Shamokal*, 13 July 2008.

22 See, for example, “*Nordhidite gonopitunite dui dakat trishale dui chintaikari nohoto*” [Two bandits in Norshingdi and two robbers in Trishal die after mass beating], *Prothom Alo*, 4 January 2008; “*Chottograme gonopitunite tin chintaikari nihoto*” [Mass beating kills three robbers in Chittagong], *Prothom Alo*, 13 March 2008; “*Kachua o dumuriai choy dakat gonopitunite nihoto*” [Six bandits killed in mass beating in Kachua and Damudia], *Jugantor*, 4 April 2008; “*Natoree gonopituni o bonduk juddhe chintaikari nihoto*” [Nine bandits die in mass beating and crossfire in Natore], *Inqilab*, 13 June 2008; “*Robber killed in mass beating in Chittagong*”, *Jugantor*, 11 August 2008.

23 ASK Documentation Unit.

24 *Ibid.*

25 “*Adibashi neta Cholesh Richil-er mrittur ghotonai nyay-bichar nishchito kora hok*” ASK Press Release, 17 March 2008.

Some progress was finally made in the investigation into the April 2001 explosions at Udichi Shilpi Goshti's annual Bangla New Year celebration at Ramna Botomul, where ten persons were killed. In 2001, two cases were filed at Ramna Police Station, Dhaka and in November 2003, CID was put in charge of the investigation. Another three years passed, before an application was made to the court on 10 and 14 September 2006, to have Mufti Hannan, Chief of Harkatul Jihad, (already in custody on another charge) shown arrested in these cases.

In a breakthrough, on 12 April 2008, Arif was arrested for the 21 August attack.<sup>26</sup> Arif confessed that four trained militants carried out the attack at Ramna. Other than himself, the militants were Shujon of Shariatpur, and Jewel and Johnny of Narayanganj.<sup>27</sup> Based on Arif's confession and an earlier confession of Mufti Hannan and other evidence, CID finalised a charge sheet against 16 accused. In addition to Arif and Hannan, the accused include Tajuddin, brother of Abdus Salam Pintu, a BNP leader, and Abdur Rauf, a militant leader.<sup>28</sup>

### 21 August Grenade Attack

In August 2004 a grenade attack on an Awami League meeting killed 23 persons and injured over a hundred. Four years later, on 11 June 2008, a charge sheet was submitted to the court, against 22 accused, including Abdus Salam Pintu, a former Deputy Minister in the Four-Party Government, his brother Tajuddin, and several Harkatul Jihad members including its Chief Mufti Hannan. Abdus Salam Pintu was described as the mastermind, while his brother was accused of supplying explosives.<sup>29</sup> It may be recalled that a one-member Judicial Enquiry Commission comprising Justice Joinul Abedin of the High Court Division of the Supreme Court had in its 162-page report, submitted on 2 October 2004, accused the intelligence agency of a neighbouring country for the attack,<sup>30</sup> in what was now demonstrated as a clear attempt to gloss over the events.<sup>31</sup> The case is now under trial in the Dhaka Speedy Trial Tribunal-1 which has framed charges against the 22 accused.<sup>32</sup>

### 17 August Grenade Attack

In 2008, there was some progress regarding the August 2005 co-coordinated explosions in courts and other important places across the country. But due to investigation failures, most of the accused were acquitted. For example, in eight of the twelve cases in Barisal, seven have been acquitted, and in only one case has the accused received a life sentence.<sup>33</sup> When three accused militants were acquitted in Chittagong on 10 September 2008, the Court directed that the Informant SI Enayetullah and the Investigating Officer (IO) be subjected to departmental action for criminal negligence.<sup>34</sup> In another case in Chittagong, on 31 August 2008, two of the six accused received ten years imprisonment, while the other four were acquitted.<sup>35</sup>

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26 "Shaath bochor por todonte goti", *Prothom Alo*, 14 April 2008.

27 "Tin ti time bomar bishfron ghotai chaar jongi: mara jai tader ek jon", *Shamokal*, 3 May 2008.

28 "Ramna bot mule boma hamla: Mufti Hannan, Tajuddin shoho 16 joner name charge sheet churanto", *Sangbad*, 7 September 2008.

29 "Pintu o Mufti Hannan shoho 22 jonke ashami kore chargesheet", *Jugantor*, 12 June 2008.

30 "Protibeshi desher goenda shongstha ke dayi koreche Bicharpoti Joinul Commission", *Prothom Alo*, 21 August 2008.

31 After this report, some 20 innocent persons were arrested over the years, and several were reportedly severely tortured. They were beaten, needles were inserted under their nails, boiled eggs were inserted through their rectum, and they were given electric shocks. Those tortured by CID included Vice President of Dhaka City Awami League Haji Mokhlesur Rahman (for seven days), Shoibal Shah Partho (who had returned from overseas studies, for 18 days), Volunteer League leader Akhtaruzzaman Ata (for 12 days), Tushar Ahmed Hassan (12 days), Oliullah (6 Days), Zahir Hossain Liton (5 days) and Abdur Rahim (8 days). None of them were named in the charge sheet. "21 August grenade hamlar ghotona dhamachapaa dite banoat shikarokti adayer cheshta: CID torture cell-e 7 nirjatiter kahini", *Bhorer Kagoj*, 17 June 2008.

32 "21 August Granade Hamla: Huji Neta Mukti Hannan-shoho 22 jon-er birudhdhe obhijog gothon" *Prothom Alo*, 30 October 2008.

33 "17 August boma hamla: Borishale arekti mamlar rai, shob ashami khalash", *Prothom Alo*, 22 September 2008.

34 "Boma bishforon mamla: Chottograme pulisher gafilotir karone 3 jongi khalash, byabostha neyar nirdesh", *Ittefaq*, 11 September 2008.

35 "Chottograme series boma hamlai 2 jongir 10 bochor kara dondo", *Jugantor*, 1 September 2008.

## Delays in Prosecution of Political Killings

### *Bangabandhu Sheikh Mujibur Rahman Killing Case*

Despite the passage of 33 years the assassins of President Sheikh Mujibur Rahman and his family have still not fully been brought to account. Citing a shortage of judges, the Appellate Division failed to hear the case in 2008, although Leave to Appeal Petitions by the defendants were accepted on 23 September 2007. The Appellate Division needed only three judges to hear the case, but several of those currently on the Bench have been involved in earlier appeal hearings, begging the question of why new or special appointments could not be made throughout the year.<sup>36</sup>

### *Jail Killing case*

On 28 August, the High Court held that as the IO had not identified the killers' accomplices it upheld only one conviction and the death sentence of the fugitive Rissaldar Moslemuddin alias Hiron Khan, but acquitted the other four accused who were in custody (two serving life sentences, and two facing the death penalty). The Court commuted the two death sentences on the ground that the involvement of two fugitives, Dafadar Marfat Ali Shah and LD Dafadar Md Abul Hashem Mridha, could not be proved beyond reasonable doubt. Lt Col (dismissed) Syed Faruq Rahman, Col (ret) Syed Shahrier Rasheed, Maj (ret) Bazlul Huda and Lt Col (ret) AKM Mohiuddin Ahmed were also acquitted on the basis of 'benefit of doubt'. Only these four appealed against the life sentences they were serving. The trial court issued death sentences against three persons and life sentences against twelve persons on 20 October 2004. Some lawyers commented that since the High Court made no comments on the eight fugitives earlier sentenced to life imprisonment, the convictions would stand.<sup>37</sup> This judgment was sharply criticised by many, including the families of the assassinated. The Additional Attorney General, representing the State, noted that the case was filed 22 years after the massacre, and while much of the evidence and documents of the case had been lost, the facts of the massacre and its perpetrators were well known.<sup>38</sup> Family members stated that they would appeal the judgment.

### *Kibria Killing Case*

AL leader and former Finance Minister was killed in a bomb attack in Hobiganj on 27 January 2005. The case is now pending hearing in the High Court Division.<sup>39</sup> Following an untiring campaign by the Kibria family for international investigation, the Home Ministry on 23 September 2008 ordered re-investigations into the case.<sup>40</sup>

### *Professor Taher Killing Case*

Professor Taher, of the Geography and Minerals Department of Rajshahi University, was killed on 1 February 2006. On 22 May 2008, the Rajshahi Speedy Trial Tribunal convicted four persons, namely, RU teacher Dr. Mia Mohammad Mohiuddin, the caretaker at Taher's residence Jahangir Alam, his brother Abdus Salam, and brother-in-law Nazmul. The Tribunal acquitted two of the accused, former RU Islami Chhatra Shibir President Mahbul Alam Salehi, and Jahangir's father Azimuddin Munshi.<sup>41</sup>

## Journalist Murder Cases

36 "Bangabandhu hottya mamlar appeal shunani aatke gechhe bicharok shongkote", *Prothom Alo*, 15 August 2008.

37 "Ora shobai khalash", *Shamokal*, 29 August 2008.

38 "Jati Stombhito hotobak Khubddho", *Janakantha*, 30 August 2008.

39 "Shah A M S Kibria hottar tin bochor aaj, mamlar todonto shesh hoini akhono" *Prothom Alo*, 27 January 2008.

40 "Kibria hottya mamlar abar todonto korbe shorkar" *Noya Digonto*, 24 September 2008.

41 "Dr. Mohiuddin-shoho 4 joner fashir adesh; shibir neta Salehi-shoho 2 jon khalash" *Noya Digonto*, 23 May 2008; see also *Prothom Alo*, 23 May 2008.

### *Humayun Kabir Balu*

A Khulna speedy trial tribunal 13 February 2008 acquitted all seven accused for the murder of journalist Humayun Kabir Balu, editor of *Dainik Janmabhumi*.<sup>42</sup> Along with a freedom fighter he was killed in a bomb attack on June 27 2004 in front of his residence on Haji Ismail Road in Khulna Sadar thana. Detective Branch (DB) submitted a charge sheet to the court on 25 April 2005, accusing ten persons for the murders. Following a petition filed by the prosecution the Judge of the speedy trial tribunal ordered reinvestigation into the case and, on 8 August 2007, DB of KMP pressed a supplementary charge sheet raising the total number of accused to eleven. Four of the eleven accused, were reported to be armed Janajuddho activists known as BDR Altaf, Shoeb, Suman and Shyamal were killed in shootouts with law enforcers. The killed accused are.<sup>43</sup>

### *Manik Shaha*

Manik Shaha, Khulna correspondent of *New Age*, stringer of BBC Bangla Service and former president of Khulna Press Club, was killed in a bomb attack near Khulna Press Club on 15 January 2004. After a series of investigations by different departments, Inspector Chitta Ranjan Pal of the DB of KMP pressed supplementary a charge sheet on 2 December 2007.<sup>44</sup> On 16 January, the Court framed charges against against eleven accused. The case is now under trial.<sup>45</sup>

### *SM Alauddin*

Freedom fighter, industrialist and editor of *Patradut*, Alauddin was shot dead in his office by miscreants on the night of 19 June 1996. Alauddin's brother SM Nasir Uddin filed a case with Satkhira thana. Police had arrested Jubo League activist Saiful Islam from his residence at Sultanpur in the town and recovered the cut rifle used in the murder. The accused had made a confessional statement before a First Class Magistrate's court at Satkhira and disclosed the murder plan along with names of the persons involved. The case was transferred to Criminal Investigation Department (CID), which submitted a charge sheet accusing nine persons.<sup>46</sup> Among them three (Abdus Sabur, Khalilullah Jhharu, and Abul Kalams) surrendered to court on 26 July 1999. The court denied them bail and sent them to jail. Later, they obtained bail from the High Court and were released. They then filed a writ petition in the High Court for quashing the case. The High Court granted the appeal, but on a petition filed by the Attorney General the Appellate Division of the Supreme Court, on 16 May 2005, dismissed the High Court order to quash. Till date the trial has not been started.<sup>47</sup>

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42 The acquitted are founders of Janajuddho faction of outlawed Purbo Banglar Communist Party Abdur Rashid Malitha alias Dada Tapan, Nazrul Islam alias Khora Nazrul, Iqbal Hossain Shadhin, Nazimuddin, Masum, Rimon and Zahid.

43 "Shob ashami Khalash" Jugantor, 14 February 2008; "All accused in Khulna journo Balu murder case acquitted", *The Daily Star*, 14 February 2008.

44 The names of Haji Islam alias Kachi, Shumon alias Nuruzzaman, Akhter Hossain, Ali Akbar Shaon, Bulbul, Sattar, Shawkat Hossain, Omar Faruque, Mithul, Bellal and Sarwar, Mofiz and BDR Altaf are included in the charge sheet.

45 "Khulna-r sangbadik Manik Saha hotta mamlar charge gothon: abar bichar shuru", *Shamokal*, 17 January 2008; "Manik Saha Murder : Charge framing tomorrow", *The Daily Star*, 16 January, 2008.

46 The charge sheeted accused are Abdus Sabur of Alipur village, Khalilullah Jhharu and his two brothers Saifullah Kislu and Momin Ullah Mohon, Eskendar Mirza and Atiar Rahman of Sultanpur, Abul Kalam of Kamalnagar in the town and Nagarghata UP Chairman Abdur Rouf and Safiur Rahman in Tala upazila.

47 "Ek jugeo Shathkhira-r sangbadik Alauddin hottar bichar shesh hoini" *Inqilab*, 23 June 2008.