



WEST BENGAL HUMAN RIGHTS COMMISSION

PURTA BHAVAN (2ND FLOOR)
BLOCK-DF, SECTOR-I, SALT LAKE,
KOLKATA-700 091

PHONE: 2337-2655, FAX: 2337-9633

E-mail: wbhrc8@bsnl.in

Ref. No. 710/wbhrcc/cont/2070/12-13

Date: 22-12-14

From : Shri Laima Chozah, IAS,
Secretary and C.E.O. and Principal Secretary
to the Govt. of West Bengal.

To : The Chief Secretary,
Govt. of West Bengal,
NABANNA,
325, Sarat Chatterjee Street,
Howrah, Pin - 711 102.

Sub : Death of Mohim Molla

Sir,

In enclosing herewith the copies of the reports bearing Memo Nos. 7027/E/CA-1 dt. 05.08.14 and 7600/E/CA-1 dt.26.07.13 received from the Superintendent of Police, North 24 Pgs, Barasat, I am directed to inform you that on perusal of the report, the West Bengal Human Rights Commission has observed as follows :

“We may bring this to notice of Chief Secretary, Govt. of West Bengal to take up matter with Union Home Secretary, Ministry of Home affairs.”

This is for your kind information and necessary action.

Yours faithfully,


Secretary & C.E.O.

etc

4194/a/2014

Government of West Bengal
Office of the Superintendent of Police
North 24-Parganas, Barasat.

Memo No 7027/EJCA-I

Dated 05/09/2014

To
The Assistant Secretary,
West Bengal Human Rights Commission
Purta Bhwan, (2nd Floor), Block - DF
Sector - I, Salt Lake City,
Kolkata -700 091.



S.O.
Pl. Put up with relevant file
W. Vasab. 9.14
Asstt. Secy.

Sub:- Report regarding the death of Mohim Molla .

Ref:- WBHRC Case No. 1421/WBHRC/com/2070/12-13 dated 29/01/ 2014.

Pursuant to your kind direction the matter has been enquired into by the Sub-Divisional Police Officer, Bashirhat in details. After enquiry he submitted a detail report through the Addl. Supdt. Of Police (North), Barasat alongwith all requisite documents.

From the report and the annexed documents it reveals that a case and counter case were started over the incident of BSF firing. Both the cases are under investigation. Copy of report submitted by the S.D.P.O., Bashirhat and Addl. Supdt. Of Police , (North), Barasat are enclosed herewith for your kind perusal.

This is for favour of your kind information.

Let 5/9/14
Superintendent of police
North24-Parganas, Barasat.

Government of West Bengal
Office of the Superintendent of Police
North 24-Parganas, Barasat.

Memo No _____/CA-I

Dated _____/2014

To
The Assistant Secretary,
West Bengal Human Rights Commission
Bhabani Bhavan(2nd Floor),
Alipore, Kolkata-27.

Sub:- Report regarding the death of Mohim Molla .

Ref:- WBHRC Case No. 1421/WBHRC/com/2070/12-13 dated 29/01/ 2014.

Pursuant to your kind direction the matter has been enquired into by the Sub-Divisional Police Officer, Bashirhat in details. After enquiry he submitted a detail report through the Addl. Supdt. Of Police (North), Barasat alongwith all requisite documents.

From the report and the annexed documents it reveals that a case and counter case were started over the incident of BSF firing. Both the cases are under investigation. Copy of report submitted by the S.D.P.O., Bashirhat and Addl. Supdt. Of Police , (North), Barasat are enclosed herewith for your kind perusal.

This is for favour of your kind information.

Signature
A/9/14
Superintendent of police
North24-Parganas, Barasat.

Government of West Bengal
Office of the Sub-Divisional Police Officer,
Basirhat, North 24 Parganas.



Memo No. 2489/14

dt. 11/8/14

To

The Superintendent of Police

Barasat, North 24 Parganas.

Ref: Memo No-1623/C/ CA-I Dt- 11.03.14. & Memo No- 2042/NZ Dt- 21.07.14

Through proper channel

Sir,

With due respect and humble submission I beg to state that I have gone through the content of the above said petition and conducted an enquiry. During enquiry, I have discussed all relevant documents available at Swarupnagar P.S. and examined Sujauddin Molla, Karimuddin Molla and Bapi Gazi. During enquiry it could be learnt that Mohim Molla S/o- Sujauddin Molla of Daharkanda, Hakimpur, PS- Swarupnagar expired during an encounter with BSF Bithari BOP, Swarupnagar on the night of 28.01.13.

Later on 23.02.13 a complaint was received from Abu Hossian Sardar S/o- Lt. Afchar Sardar, Bithari, Swarupnagar which reflects that his son namely Sajit Sardar and others were returning from the house Komal Gazi after attending a invitation where there incident occurs. This refers to Swarupnagar PS Case No- 111 Dt- 23.03.13 U/s- 325/326/304IPC. The complainant also alleged that at that time the cattle smuggler were passing the cattle's towards Bangladesh from Indian side and then ASI Amalendu Mahato fired and this incident happened. The complainant's son namely Sajit was also injured in this incident. During enquiry it is asertain that the incident of firing took place. In the IBBR just annexed to BP No-13-4R/11 on the night 28.01.13 at 21.15 hrs while the cattle smuggler were smuggling cattle and two BSF personnal also seized 05 cattles sharpcutting etc from weapons the spot.

During investigation I.O S.I Bajlur rahaman Mondal has adopted following measures .

- i) Visited P.O and draw the sketch of the P.O.
- ii) Collected injury report of (i) Sajit Hossian Sardar S/o-Abu Hossain Sardar of Padmavilla P.O- Bithari PS- Swarupnagar.(ii) Milan Mondal S/o- Lt Arshad Ali Mondal of Vill- Daharkanda PO- Hakimpur PS- Swarupnagar and (iii) Sohag Gazi S/o- Md. Rafiul Gazi of Vill- Daharkanda PO- Hakimpur PS- Swarupnagar.
- iii) Sent a requisition to the Commandant 152 Bn BSF for producing SI S.C Bain and ASI A. Mahato for the purpose of investigation .
- iv) Recorded statement of SI Subhas.Ch. Bain of Bithari BOP ,152 BSF and ASI Amalendu Mahato of Bithari BOP .
- v) Examined other witnesses and recorded their statement .
- vi) Collected PM report of Mahim Molla S/o- Sujauddin Molla of Daharkanda , Hakimpur PS- Swarupnagar.

Investigation of the case is going on .

This is also pertinent to mention that Swarupnagar P.S Case No-59,dt-29/01/13(U/S-147/148 /149/186 / 188/353 /413/414 /323 /325 /323/ 307 I.P.C) had been started on the written complain of SI. Subhas ch. Bain of 152Bn B.S.F BOP-Bithari,P.S-Swarupnagar,North 24 Pgs.to the effect that on 28/01/13 about 21:15 hrs. B.S.F party led by ASI.Amalendu Mahato (Party commander) hold raid at village Daharkanda and while chasing a group of cattle smugglers he was suddenly attacked by them. ASI. Amalendu Mahato being encircled by the cattle smugglers fired two rounds from his personal weapon rifle 5.56 m.m INSUS in self defence. In the mean time the other B.S.F party came to the spot to rescue ASI. Amalendu Mahato and the cattle smugglers fled away. In this matter F.I.R have been lodged against Rahim Sardar and four others. The B.S.F party also seized 01 E.F.C, 01 Iron daw and 05

from the spot. Over this the above noted case was started and SI. Bazlur Rahaman Mondal had been endorsed to investigate the case.

It is learnt that during search it was found that one accd. named as Mahim Molla, S/O-Sajauddin Molla of Daharkanda, P.O-Hakimpur, P.S-Swarupnagar died due to bullet injury. In this reference Swarupnagar PS U.D case no-1, dt-29/01/13 had been started over the dead body of deceased Mahim Molla. Post-mortem examination over the dead body of the deceased was carried out vide P.M No - 21, dt-29/01/13 by Dr.Dipak Maitra M.O Basirhat S.D Hospital who opined that "Death was due to severe haemorrhage shock due to bullet injury ante-mortem and homicidal in nature". Post Mortem report was collected during investigation. Magisterial Inquest over the dead body of the deceased was carried out by Sri.Arunabha Paul, Executive Magistrate, Swarupnagar posted as B.D.O Swarupnagar on 29/01/13. Later during investigation it was revealed that another F.I.R named accd. named as Sajid Hossain Sardar(14), S/O-Abu Hossain Sardar of Padmabila also sustained bullet injury and was admitted at Swasti Eye and Super Specialty Nursing Home, AA-2/2, Rajarhat Road, Taltala, Baguiati, Kolkata-59, Tel:-25704840/ 4841/6788 admitted on 29/01/13. Sajid Hossain Sardar surrendered before Ld.J.J.B Salt lake and was released on bail on 7/03/13. In the course of investigation IO SI Bazlur Rahaman Mondol visited the PO, prepared rough sketch map of it, examined the complainant and BSF witnesses of Bithari BOP and recorded their statement on 19.1.14 and on raid FIR named accd Raihan Sardar was arrested on 4.12.13.

During investigation on 29.1.13 the offending arms i.e one 5.56 INSAS Rifle having Butt No. 623 Body No. 18365262 was seized and duly given in Zimba to the complainant SI Subhas Chandra Bain of BSF. In reference to Memo No. 5158/1(3)/13/CA-I dt: 24.4.13 Superintendent of Police, Barasat, North 24 Parganas wrote a letter to District Magistrate, North 24 Parganas to arrange for executive enquiry .

FIR named accd Sahin Sardar and Amirul Sardar are still absconding to evade arrest.

Investigation is proceeding.

This is for favour of your kind perusal.

*awarded. Investigation of both Swarupnagar PS
at no. 59/13 and 111/13 are proceeding.
executive enquiry over the death of Sri Mahim
Molla is pending before JM, North 24 Pgs.*

13/8/14
Addl. Superintendent of Police
Barasat, North 24 Parganas

****Enclosure.**

- 1) Injury report of Sajid Hossain Sardar, Milan Mondal and Sohag Gazi.
- 2) Requisition submitted by SI B.R Mondal .
- 3) PM report of Mahim Molla.

*Memo No- 2523/N2
Dated - 14.8.14*

Yours Faithfully

(Signature)
(Avijit Banerjee)

Sub-Divisional Police Officer

Basirhat, North 24 Parganas.

Sub-Divisional Police Officer

Basirhat, 24 Pgs. (N)



SWASTI EYE & SUPER SPECIALITY NURSING HOME
 AA-2/2, Rajarhat Road, Taltala, Bagulati, Kolkata - 59, Tel: 2570-4840/4841
 (Near Vivekananda Club & National English School)
 Email: swasti_diag@vsnl.net

INJURY REPORT (POLICE INFORMATION)

No. 2008

- Name :- SAJID HOSSAIN SARDAR Age 13 Religion M Sex M
- Fathers'/Husbands' Name :- ABU HOSSAIN SARDAR
- Address :- Vill: PADMAVILLA P.O. : BITHAR
- Police Station :- SURABNAGAR
- Brought by :- ABU HOSSAIN SARDAR
- Time & Date of Attendance at ER :- 29.01.2013 at 1:45 PM.
- Place of Occurance :- AT HANMURU 23.01.2013 around 8:00pm
 (Time & Date)
 P. S. :- SURABNAGAR
- History of Injury :- Accident to patient himself
 1st - Ground by C.S.F.

9. On Examination :-

29/1/2013	conscious	90/110	Deep lacerated
	Pup: 4/4	120/70/100	Wing over (R)
	ECG: normal	clear	leg.
	CS: 2	52	# (Dr) leg.

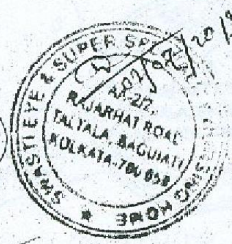
10. Nature of Injury :-
 Age of the wound :-

11. Prognosis :-

12. If admitted place of Admission to be mentioned :-

Date: 23/1/2013

Signature of Medical Officer (In-Full)



Abu Hossain Sardar Full Name

Reg. No. (55111)

weapon title 5.30 in the morning in the area of ... to rescue ASI. Amalendu Mahato and the cattle smugglers fled away. In this matter F.I.R have been lodged against Rahim Sardar and four others. The B.S.F party also seized 01 E.F.C, 01 Iron daw and 05

INJURY REPORT (POLICE INFORMATION)

No. 2006

1. Name :- MILAN MONDAL Age 18y Religion M Sex M
2. Fathers'/Husbands' Name :- LATE ARISHAO ALI MONDAL
3. Address :- VILL : DAKHARKANDA P.O. : HAKIMPUR
4. Police Station :- DIST : 24 PARAGANAS (S) SIKHARPURGAH
5. Brought by :- ALAMGIR GAZI (brother)
6. Time & Date of Attendance at ER :- 29.01.2013 At 12 AM
7. Place of Occurance :- At Hakimpur
(Time & Date) 29.01.2013 around 5:30pm
P. S. :- SIKHARPURGAH
8. History of Injury :- Acc. to patient himself

9. On Examination :-
 Acc. to patient himself
 shot injury near Bangladesh
 border by B.S.F.

29/1/2013

✓	conscious	sp	✓	lacerated injury
✓	pulse	120/90/100	⊕	palm of hand
✓	RR	clear		index & middle finger
✓	well	9		2 impacted dentals
✓	leg			

10. Nature of Injury :-
Age of the wound :-

11. Prognosis :-
 12. If admitted place of Admission to be mentioned :-
 Squandered
 Yes (son - 9)

Date : 29/01/2013

Signature of Medical Officer
(In Full)



✓
 Alamgir Gazi

Full Name : Alamgir Gazi - MONDAL
 Reg. No. : 5851 (M.M.S.)

INJURY REPORT (POLICE INFORMATION)

No. 2007

1. Name :- SUHAS GAZI Age 18y Religion M Sex M
2. Fathers'/Husbands' Name :- MO. ROFIUL GAZI
3. Address :- VIA : DAIHARKANDA P.O. - HAKIMPUR
DIST : 24 BAGURAI (N)
4. Police Station :- SURANUPUR
5. Brought by :- LABUL Gazi (Brother)
6. Time & Date of Attendance at ER :- 29.01.2013 at 12:00 pm
7. Place of Occurance :- H. Hakimpur
(Time & Date) 28.01.2013 around 8:30 pm
P. S. :- Suranupur
8. History of Injury :- Acc. to patient himself

9. On Examination :-
H/o Swabhit inj by B.S.F near
Swabhit

29/1/13 ✓ C-conscious ob/pt ✓ Bilateral inj
✓ Pulse 30/30 w/h ✓ over (R) calf
✓ BP clear
✓ chest
✓ CS 52

10. Nature of Injury :-
Age of the wound :-

11. Prognosis :- Guarded
(Serious)

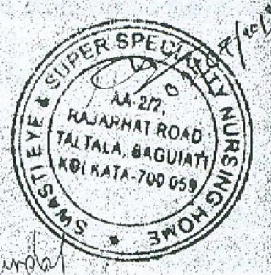
12. If admitted place of Admission to be mentioned :-

Date : 29/01/2013
Suhas Gazi

Signature of Medical Officer
(In Full)

Full Name Ingramur Mandal

Reg. No. (5111)



54