

Cases shrouded in questions

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But eight leaders and activists of Harkatul Jihad (Huji) later gave statements admitting their involvement in the deadly attacks on an AL rally on Bangabandhu Avenue "to assassinate" AL chief Sheikh Hasina.

Hasina escaped death with injuries but the grisly attacks left 24 AL leaders, including Ivy Rahman, and workers killed and 300 others injured, many of them maimed forever.

Eminent jurist Dr Shahdeen Malik said, "The contradiction of the confessional statements may further complicate the prosecution case and have an impact on the trial."

The prosecution and a few legal experts, however, said the contradictions would not have any negative effect on the merit of the case as the court has the jurisdiction to accept confessional statements that corroborate other evidence.

The courts have already relieved Joj Miah, Abu Hashem alias Rana, and Shafiqul Islam of the charges since evidence gathered by the investigators of Criminal Investigation Department (CID) after the end of the BNP-led alliance rule did not corroborate their statements.

CID assistant superintendents Abdur Rashid and Munshi Atiqur Rahman conducted the earlier investigation under direct guidance of the then state minister for home Lutfozzaman Babar. The then CID special superintendent Md. Obaidul Amin was the supervising officer.

The authenticity of the statements of Joj, Hashem and Shafiqul was questioned all along. That it all was made up became even clearer when Joj's sister disclosed that the CID had been paying their family Tk 2,500 a month since Joj's arrest.

The present administration also found out that the confessional statements as per the then government's desire were obtained using force.

The caretaker government started fresh investigation into the cases and it was found that the Huji carried out the attacks. The confessional statements made by Huji

leaders and activists also corroborated the evidence.

The charge sheets of the cases were submitted on June 11.

Metropolitan Public Prosecutor Ehsanul Haque Samaji told The Daily Star that circumstantial evidence gathered by the present investigation officer shows that the previous investigations were not accurate.

The previous investigation officers, influenced by a vested group, tried to divert the investigations to serve their interest," he said, adding that the trial of the case would proceed on the right track on the basis of the present investigation.

Advocate Anisul Huq said, "The confessional statements made earlier were completely forged and false as they were obtained through manipulation and by influencing the accused. Therefore, those have no bearing upon the cases."

Advocate ABM Sharuddin Khan Mukul told The Daily Star that the court would take into cognisance the confessional statements and evidence and accept statements that strongly corroborate the evidence.

Recently Huji leader Mufti Hannan and his brother Mohibullah alias Mafizur Rahman alias Ovi, Rafaqul Islam Sabuj, Jahangir Alam and Arif Hasan Sumon separately appealed to retract their statements admitting their involvement in the attacks.

Legal experts said the petitions are immaterial and would not affect the cases' merit because confessional statements given before magistrates without being influenced will be taken into cognizance even after retraction.

PRESENT STATUS OF THE CASES

The present investigation officer pressed charges against 22 persons, including top Huji leader Mufti Hannan and BNP leader and former deputy minister Abdus Salam Pintu, on June 11 in two cases—one for murder and another for blasting grenades.

Fourteen of the accused are now behind bars. They are Mufti Hannan, his brother Mohibullah, Sharif Shahidul Islam alias Bipul, Maulana Abu Sayeed alias Dr Abu

Zafar, Abul Kalam Azad alias Bulbul, Jahangir Alam, Maulana Abu Taher, Shahadatullah Jewel, Hossain Ahmed Tamim, Abdus Salam Pintu, Mufti Moinuddin Sheikh alias Abu Zandal alias Masum Billah, Arif Hasan Sumon, Rafaqul Islam Sabuj and Mohammad Ujjal alias Ratan.

Following the investigation officer's plea, separate courts ordered the authorities to relieve previously arrested 20 persons of the charges.

They are Joj, Hashem, Shafiqul, Monjur Hossain, Shah Alam, Haji Shoyeb alias Dikor, Mokhlesur Rahman, Afub Ali Khan, Shabibul Saha Partha, Habib alias Abdul Hannan, Badsha Mia, Abdur Rahman, Mohammad Hasan alias Tushar, Zahir Hossain alias Liton, Akteruzzaman alias Ata, Abdur Rahim, Waliullah alias Ali, Mohammad Hossain, Monir Hossain alias Pichchi Monir and Akash Sarkar alias Jiten.

Eight of the accused have been absconding: they are Pintu's brothers Maulana Tajuddin and Maulana Liton, Anisul Mursalin and his brother Mahibul Muttakin, Iqbal, Maulana Abu Bakar alias Selim Howlader, Jahangir Alam Badar and Khalilur Rahman. Mursalin and Muttakin were arrested in India with explosives in 2006 and are now detained at Tihar jail there.

The two cases were transferred to the Sessions Court for trial on June 12 and 18. The Sessions Court then transferred the murder case to the Second Additional Metropolitan Sessions Judge's Court for quick disposal.

Hearings on the cases have been held five times. The next hearings on charge framing in the murder case and reports of arrest warrants against the absconding accused in the grenade attack case will be held on August 31.

Earlier, both the courts issued arrest warrants against the eight accused. Police have, however, failed to arrest them.

Sources meanwhile said the cases would be sent to the Speedy Trial Tribunal for quick disposal.

Missing masterminds

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Huji was involved, they could not trace those who were behind Pintu and Hannan to carry out such a well-planned attack.

Following huge controversy and media flak the government had to hold back submission of the charge sheets based on Joj Miah's story.

Allegations were rife that the government was trying its best to divert the investigation to save the main culprit of the gruesome attack on Hasina's rally on Bangabandhu Avenue that left 24 AL leaders and workers killed and scores others injured, many of them maimed forever.

Less than a month into the attack, the then ruling BNP lawmakers in parliament in presence of the erstwhile prime minister Khaleda Zia blamed AL for perpetrating the grisly attack on its own rally.

More interestingly, the one-member judicial probe committee of Justice Joymlul Abedin pinned the blame on an "enemy" country, but the investigators have so far found nothing to substantiate the findings.

That perception of diverting the investigation to save the culprits got intensified when the investigators at least pointed their finger to a BNP leader and former deputy minister and the Huji.

Rashid said he could not go after the lawmaker as he was not involved with the investigation anymore.

Former CID ASP Munshi Atiqur Rahman, who was IO of the cases before Kabir, said he got hints from Hannan about Huji's involvement but could not tell the end as he went on retirement.

He said he tried for long to arrest Hannan in the aftermath of several bomb and grenades attacks but was not successful as the BNP-Jamaat-led government was "reluctant".

"They were soft to Mufti Hannan," Atiq said, adding, even a number of former ministers and lawmakers recommended relieving Hannan of different cases.

Before getting the hints from Hannan, the investigators had no clue regarding Huji members' involvement.

Rashid, Abdur Rashid who was IO before Munshi Atiq had concentrated on a different criminal group based on confessional statement by one Joj Miah. However, Rashid said he could not trace any mastermind during his investigation.

"I was at primary stage of the investigation. To find out the masterminds and link them with the attack was a huge task, but I was not in a position to accomplish the task," he told The Daily Star yesterday.

From his experience, he however, said, "It was an extensively pre-planned attack and a huge amount of money was involved. It's not like that if anyone wants grenades, the bombs will automatically be available," he said.

Rashid obtained confessional statements from Joj Miah and two others — Abul Hashem alias Rana and Shafiqul Islam — which completely contradict with that by Mufti Hannan and seven other Huji leaders and activists.

Authenticity of the identical confessional statements of Joj Miah

leaders and activists also corroborated the evidence.

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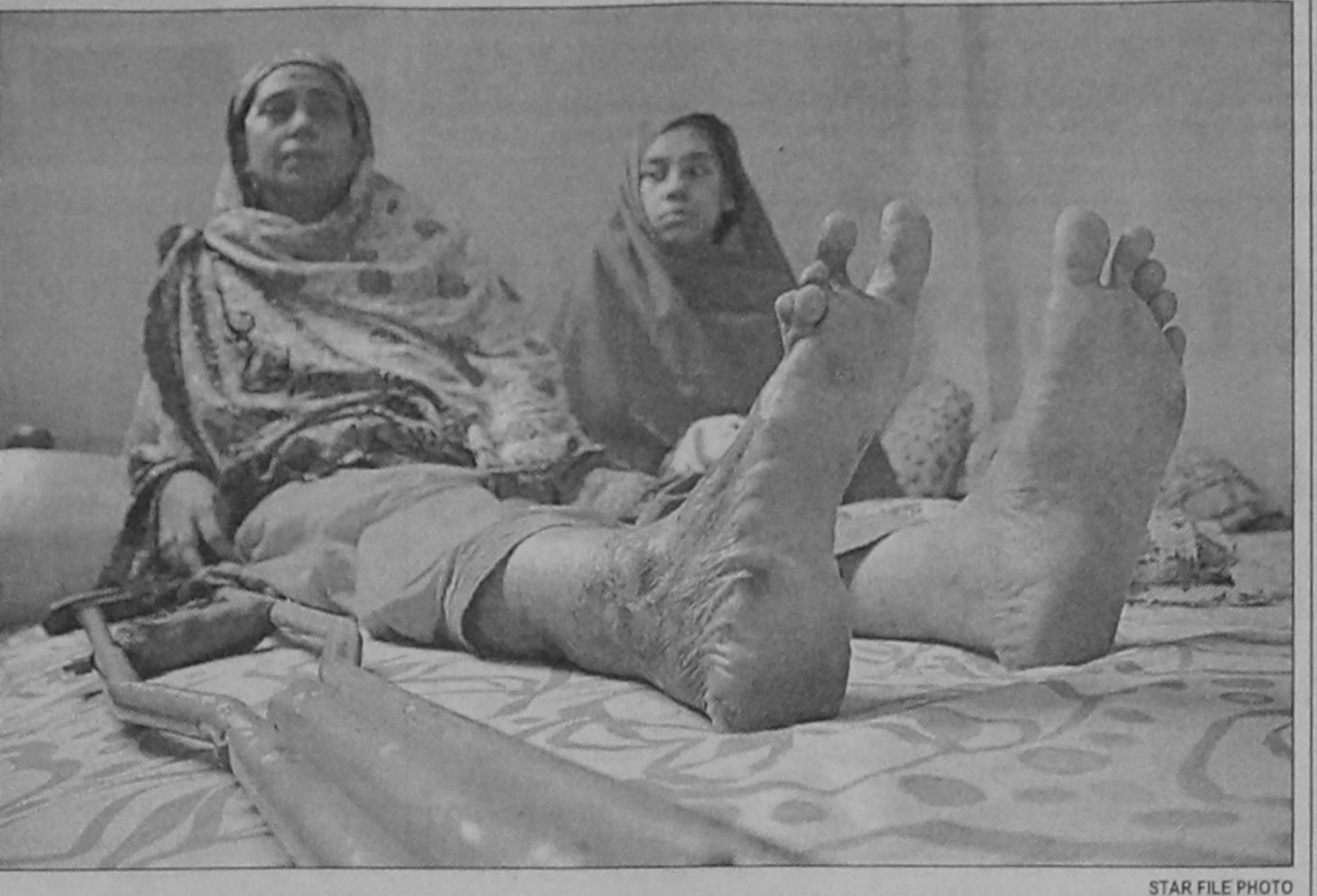
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Haunted for life



STAR FILE PHOTO

August 21 victim Rashida Akther Ruma lies crippled in her bed with her daughter Joya to comfort her. She still has to look after her two daughters as her husband is no more.

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The nightmare of the August 21 afternoon of 2004 haunts the former women affairs secretary for ward No. 69 of the Awami League day in, day out.

The first grenade exploded as the netri (Sheikh Hasina) ended her speech and I stood up to walk up to her," Rumal said.

The 40-year-old felt a surge of pain as she tried to find a comfortable position on her bed. The grenades left six fractures in her legs, caused irreparable damage to her right ear and placed a few thousand splinters into her body. She lost three toes.

Not that Ruma did not get any help in treating her injuries. She underwent 13 operations home and abroad, with the Awami League bearing all the costs.

Ruma was relating her story at her uncle's home on Nazimuddin Road, the latest in her search for shelter since the attacks disabled her to afford a home on her own.

She became the lone bread earner of the family after her husband died of cardiac arrest in 2002, earning about Tk 5,000 per month by teaching sewing skills.

As the attacks cost her work, a pall of uncertainty descended on the family. She left her rented house on Aga Sadek Road and started a life of living off relatives.

Tears now streaked her face as The Daily Star asked Ruma about her two daughters, Joya and Pia. "Failing to feed my daughters, I dropped them into a madrasa in the solace that they would not at least starve at hostels."

"I have those 250 in my house now," the 47-year-old former senior

Doctors said I would soon go mad if I don't treat my right ear immediately. Who's look after my kids then?" Ruma asked.

Every August 21 adds to her nagging physical and psychological pains.

"When August 21 comes back every year, journalists like you come here to know how we are getting on. What does it bring other than fuelling the old injuries?" she said.

Not that Ruma did not get any help in treating her injuries. She underwent 13 operations home and abroad, with the Awami League bearing all the costs.

But everything came to a halt after the arrest of Sheikh Hasina on July 16 last year. Nobody enquired about her since then, she said.

A few hundred more in Dhaka City also bear the hallmark of the grenade attacks, splinters in the thousands.

"I have about 1,500 in my head, back, abdomen, waist, arms and legs," Nasima Ferdousi said at Trauma Centre at Shyamoli, pointing to the ones protruding beneath her skin.

Doctors removed a few hundred from her body in 23 operations, eight in Bangladesh and the rest in India.

After an operation at Apollo Hospital in Delhi, surgeons gave her son 250 splinters.

"I have those 250 in my house now," the 47-year-old former senior

president of the city unit Awami League said.

She says sometimes she feels like a tree as the splinters formed a layer under her skin. "The splinters feel differently in different seasons".

With aging, she is developing new complications in her kidney, heart and backbone, she said.

Ruma and Nasima, who now rely on crutches for movement, yearn for better treatment abroad, but hold out little hope of it until "Hasina is freed."

"Not only that the government did little in bringing the culprits behind the attacks to book, they also did nothing to help the victims like us," Nasima said.

She like Majharul Islam Mamun, son of a Chacha a.k.a. Rafaqul Islam who was killed in the attacks, demanded that the authorities smoke out and expose the masterminds of the attacks designed to eliminate the Awami League leadership.

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