

## Police inaction in an alleged case of dowry death

**ASUM** <masumindia@gmail.com>

10 January 2020 at 17:39

To: NHRC <chairnhrc@nic.in>, NHRC1 <cr.nhrc@nic.in>, registrar-nhrc@nic.in

Cc: Chief Secretary Gov of WB <cs-westbengal@nic.in>, wb.secyhome@gmail.com, igpa@policewb.gov.in, "DG & IGP, West Bengal Police." <dgpwestbengal@gmail.com>, dm-cbr@nic.in, SP Cooch Behar <spcbr@policewb.gov.in>, vaw@ohchr.org, UN SR Torture <sr-torture@ohchr.org>



Banglar

**Manabdhikar Suraksha Mancha (masum)**

40A, Barabagan Lane, Serempore,  
Hooghly - 712 203 West Bengal, India

Phone : +91-33-2622-0843 /45,  
Tele Fax : +91-33-2622-0843  
E-mail : masumindia@gmail.com  
Web : www.masum.org.in

The Chairman  
National Human Rights Commission  
ManavAdhikarBhawan  
Block-C, GPO Complex, INA  
New Delhi-110023

10 January 2020

Respected Sir,

Through this complaint, I want to bring your attention to a case of police inaction and ignorance to a brutal murder of a woman by her husband and in-laws, allegedly for the demand of dowry. The victim, Rokeya Khatun Bibi was the wife of Mithoo Miyan, a civic volunteer of the Police at the Police station Kotwali-Cooch Behar. She also had a daughter of 9 months, named Maria Khatun. After several interventions, the police arrested her husband while the other accused in the case have still not been arrested. The incidents after the victim's death also indicate the implication of the police by taking bribes to cover up the crime. The details of the incident are mentioned in the fact finding report below. The women's community in the village have been agitating for justice to the victim and have also lodged a mass complaint with the Kotwali-Cooch Behar Police Station. All of this has brought no results.

The case showcases the collapse of the criminal justice system and the entrenched impunity for the perpetrators of the crime. It also reveals the violence that women are subjected to within households because of age-old customs such as dowry which are punishable by law.

Therefore, I urge your immediate intervention in the case by fulfilling the following prayers:

- Direct the Inspector-in-charge of Kotwali-Cooch Behar to take action against the remaining accused immediately.
- The accused should be tried in court and prosecuted for this heinous crime.
- The daughter of the victim and her parents should be awarded compensation for the murder.

Thank you.

Yours Sincerely

Dipyaman Adhikary  
Assistant Secretary  
Banglar Manabdhikar Suraksha Mancha (MASUM)

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**Details of the Victim:** RokeyaKhatunBibi; 27; Housewife; Kushamari village, Block Cooch behar-I, Kotwali-Cooch Behar Police Station, Chilkir Hat Post Office, Cooch Behar District.

**Details of Secondary Victims:** 1. Maria Khatun; 9 months; daughter of RokeyaKhatunBibi  
2. RashidulMian; Father of RokeyaKhatunBibi

**Details of the perpetrators:** 1. MithooMiyan; Husband of the victim; Civic Volunteer for Kotwali-Cooch Behar Police Station.

2. UkilMiyan; 50; Father-in-law of the victim; Agricultural labourer
3. KavitaBibi; 42; Mother-in-law of the victim
4. JuhuralMian; Brother-in-law of the victim

## 5. ReshamBibi; Sister-in-law of the victim

**Date and time of Incident:** October 4, 2019; 1pm.

**Place of Incident:** At the residence of the victim

**Details of the Incident:** MithooMiyan andRokeyaKhatunBibi got married in early 2018 and their wedding was registered on 05.05.18 under Vol. no. 56, Sl. No. 96. Since then, the victim started living with her husband and her in-laws. Her sister-in law, ReshamBibi and her husband live in the same neighborhood. Ever since their marriage, the in-laws and MithooMiyan were hostile to the victim. MithooMiyan would often hurl insults at her and yell at her. On the date of the incident, 04.10.18, the fight between them escalated. The in-laws including ReshamBibi and JuhuralMian started beating the victim and then they hung the victim from the ceiling using a saree, around 12 pm. Following this incident, MithooMiyan went to the Kotwali Police station, signed his attendance and consulted the police on this matter. The villagers allege that MithooMiyan also bribed the police officials. He came home around 6pm and informed the gathered villagers and the RokeyaKhatun's family that she had committed suicide by hanging herself. However, looking at the victim's state and the position she was hung in, it was apparent that she hadn't committed suicide. Firstly, the saree that was used to hang her was tied 10 feet above the ground but the house had no chair or stool that the victim could have used to elevate herself to the level of the ceiling. Secondly, while she was hanging, her knees were bent inward and her feet were touching the floor, indicating that she could not have killed herself. When RokeyaKhatun's parents tried to point these things out to the police, they threatened to beat them. Questions rose here –

- Why did the on duty police officer immediately not call a doctor to check the condition of the victim?
- Why the on duty police officer did not permit to talk or receive any of their statement of the victim's parents?
- Why on duty Police officer threatened to kill the parents of the victim?

Around 9 pm on the same day, the body was taken to MJN Hospital in Cooch Behar and on 05.10.19, the post-mortem was done vide PM no. 820/19 and UD Case no. 367/19. Around 3 pm, the body was taken by the victim's family to perform funeral rites. Then, they noticed that the victim had a big bruise on the left side of her waist and her fingers seemed to be broken. The victim's father, Rashidul Islam, lodged a case against the accused in the Women's Wing of Kotwali-Cooch Behar Police Station vide Case no. 80/19 dated 05.10.19 under sections 498(A), 304 (B) and 34 of the Indian Penal Code. In his complaint, Rashidul Islam said that his family had given 2 lakhs cash, furniture, some gold ornaments and a motorcycle as dowry when his daughter married MithooMiyan. After that, when the victim's in-laws kept pressuring her for more dowry, they gave them 1 lakh more. A meeting of the panchayat was also called to resolve the issue but in spite of this, the victim's husband and in-laws continued to be hostile to the victim. Thereafter, MithooMiyan was arrested by the police but there were no proceedings against the other accused in the case.

On 21.10.19, 'PramilaBahini', an organized community of women from Gitaldaha village, took out a rally demanding that the rest of the accused be arrested within four days. In early November, they went to the police station again with the demand to arrest the accused but the police said that they were unable to find them. However, it is well known in the village that the accused continue to live at their original residence.

### Attached Documents

1. **Picture of diseased**
2. **News paper cutting**
3. **Details of Unnatural Death Case**
4. **Dead body challan**
5. **Letter to Inspector in Charge of Kotwali Police Station**
6. **Post Mortem Report**

