

A field study report on incident of beating in an allegation of being witch

Background

The beating and misbehavior on Radha Chaudhary, 18 of Ghodaghodi Municipality-18 on March 8 on an allegation of being witch was made public in social networking sites, local and national daily newspapers. A footage of beating was also viral in social networking sites. An attention was drawn after the news was published stating that the police denied of registering the complaint and the incident was attempted to be settled in an agreement with the involvement of local representatives. INSEC including other rights organization seriously drawn the attention on the apathy shown by the police administration on this serious issue. The human rights activist team reached the incident site on March 10 and 11 to gather the information regarding the incident.

Process of field study

- Prior on visiting incident site, preliminary information on incident was collected by organizing a joint meeting with journalists and human rights activists in INSEC office, Dhangadhi.
- The activists had urged for the treatment of the victim after her condition was critical according to the victim's family. She was further admitted to Seti Zonal Hospital on March 9.
- National human Rights Commission (NHRC) was informed about the incident and requested for the immediate arrest of the accused and register the complaint on behalf of the family through Chief District officer.
- Further information was gathered from the victim Radha Chaudhary and her mother Phulkesari Chaudhary after the direct meeting with them in Seti Zonal Hospital on March 9.
- An information and fact finding was conducted by gathering information from SP Binod Ghimire of District Police Office, Kailali, inspector Karna Singh Karki of Sukkhad Area Police Office, Samjhana Chaudhary, sister of accused Ram Bahadur Chaudhary, Roshan Chaudhary, brother of the victim Radha Chaudhary, eye witness Ashok Chaudhary, Anil Chaudhary and Bhoj Raj Chaudhary.

Incident study Team

- Khadga Raj Joshi, coordinator, INSEC, Dhangadhi office.

- Sarita Puri, program coordinator, INSEC Dhangadhi Office.
- Jhankar Bahadur Rawal, officer, NHRC, Dhangadhi.
- Laxmi Paudel, officer, NHRC, Dhangadhi.
- Krishna Bahadur B.K, documentation Officer, INSEC Dhangadhi.
- Purna Kala Rai, Jagaran Nepal.
- Sita Ram Ojha, Journalist.

Facts received through collected information and description from the study

- ✓ It was found that Radha Chaudhary, 18 of Ghodaghodi Municipality-5 was severely beaten by 25 years old Ram Bahadur Chaudhary alias Bhole baba, Kismita Chaudhary alias Parbati and Smarika Chaudhary on March 8 alleging her of being witch.
- ✓ Police team led by SI Dinesh Bista of Area Police Office of Sukkhad rushed the victim Radha Chaudhary to Ghodaghodi hospital for treatment after one local youth informed about the incident to the police. The accused Ram Bahadur Chaudhary was handed over to his mother Sita Rani Chaudhary in an initiation by the ward chairman Prem Bahadur Mahara of Ghidaghodi Municipality-5 including locals with the written agreement in a condition to present him in the police office if necessary.
- ✓ The information was made public regarding the attempt of settling the case by exerting the pressure by Ghodaghodi Municipality Mayor Mamta Prasad Chaudhary and ward chairman Prem Bahadur Mahara however after looking at the documents in Area Police Office, it was found to be written that the accused Ram Bahadur Chaudhary can be presented to the police office if necessary. The document or letter prepared at Sukkhad Area Police Office included the name of Mayor Mamata Prasad Chaudhary, however his signature was not found.
- ✓ The Area Police Office of Sukkhad denied to provide photocopy of the document however they allowed human rights activists to do study on it.
- ✓ It was found that the District Police Office of Kailali had registered the complaint under the “Witchcraft Allegation Act” against the main convict Ram Bahadur Chaudhary, 25 of Ghodaghodi Municipality-5 and Kismati Chaudhary at District Court of Kailali and is doing the investigation on the case. It was found that the case has been lodged against the main accused Ram Bahadur Chaudhary, his mother Sita Rani Chaudhary, 45 and Chanak Lal Chaudhary at District Court and investigation is continuing.
- ✓ The District Police Office of Kailali said that SI Dinesh Bista of Area Police Office of Sukkhad is suspended on charge of being apathetic on registering the complaint of victim. The investigation on him is continuing after the suspension.
- ✓ After the victim Radha Chaudhary could not be treated at Ghodaghodi Hospital, she was further referred to Seti Zonal Hospital for the treatment. After the treatment she was given shelter in one safe house owned by a NGO.
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Description of the incident

Ram Bahadur Chaudhary, 25 alias of Ghodaghodi Municipality-5 was claiming of being Bholebaba since 2 months. He was promoting saying that he can cure all kinds of illness. Kismati Chaudhary, 22 of Ghodaghodi Municipality-5, Dehukuliya became his supporter and begin to claim that she is “Parbati”. She forcefully took Radha Chaudhary from her house on March 8 in the name of curing her while she was busy on cleaning cowshed. The victim was dragged and beaten by the accused and locals were followed her. Radha Chaudhary was taken to Ram Bahadur Chaudhary alias Bholebaba and the crowd started to build up in the area. The victim Radha was alleged of being witch. The accused started to beat her in the name of curing her saying that she had a bad spell of witch. The victim urged and requested not to beat her but they did not stop and even Ram Bahadur Chaudhary started to beat her continuously. During the beating from Ram Bahadur, the victim fainted and again started to beat her after gaining consciousness. Victim Radha’s brother was also alleged of being witch and was ordered to sit within the boundary made by rice.

The locals and villagers just became the audience according to victim’s brother Roshan. The police reached the incident site in the afternoon at about 2:30, only after one local informed police about the incident. The victim was rushed to the Ghodaghodi hospital on March 8. The police team arrested Ram Bahadur from the incident site and was taken to the police office for interrogation. The supporter of Ram Bahadur, cordoned the police office of Sukkhad and demanded to release Ram Bahadur saying that he is not guilty. His supporters who came in hundred in numbers created tensed situation in the police office. After the tremendous pressure, Ram Bahadur was released in a condition to summon him in the police office if necessary in presence of ward chairman Prem Bahadur Mahara and locals.

After the incident of beating was made public, in support from INSEC and other likeminded organizations, the victim Radha Chaudhary was transferred to Seti Zonal Hospital in Dhangadhi for further treatment on March 9 and registered complaint against accused Ram Bahadur Chaudhary at District Police Office. On March 10, police arrested Kismati Chaudhary and Smarika Chaudhary for their involvement in the incident and complaint against them were registered at District Court of Kailali under witchcraft allegation act on March 13. Victim Radha is in a safe house after the treatment.

Binod Ghimire, SP, District Police Office, Kailali



The former temporary police had informed the area police office of Sukkhad about the incident. The Area Police Office did not informed me about the incident. Team from Area Police Office reached the incident site and arrested the

accused Ram Bahadur Chaudhary and rescued the victim Radha Chaudhary and took her to the Ghodaghodi Hospital for the treatment. I was informed that the accused was arrested on March 8 by the police however he was released in a condition to present him in a court if necessary after a tremendous pressure was created from his support in a large number. The news regarding police settling the case is completely rumor, it is not true. He was released in a condition after paper work. At present, SI Dinesh Bista is in suspension and investigation of the case is going on and the case is filed against Ram Bahadur Chaudhary, Kismati Chaudhary , Smarika Chaudhary, Bed Prasad Chaudhary and Chanak lal Chaudhary after their arrest. The administration is clear that the convict must get punishment. The written paper is safe in Area Police Office and it can be made public when necessary.

Karna Singh Karki, Inspector, Area Police Office, Sukkhad



I was in a leave after my sister-in-law died recently. After getting a call from AIG, I rushed to the office on March 11. The incident was taken lightly by everyone and the arrested accused had to be released in a condition in presence of representative after pressure was exerted from the locals. After I returned back to the office, further two more accused were arrested and sent to the district.

Ashok Chaudhary, witness



Bholebaba is like a god for us. He is been treating us for free. We get treatment from him and he is our witch doctor.

Chotelal Chaudhary, patient, Bhajarigaun

I am ill from the last 10 years. It was not cured from the hospital. My hand was paralyzed but after receiving treatment from Baba, I am getting better. Yesterday police arrested Baba, I do not know why. After he returns back, I will get further treatment from him.

Lauti Chaudhary, patient, Bhajarigaun



Doctor told me that I have stone and told me that I need to get it operated. I came here because he can cure it without doing operation.

Kismati Chaudhary, accused



I am studying at 10th standard in National Secondary School in Deukali. I do not know what happened in the incident. I am ill from the past year. I am suffering from the ailment like headache, dizziness and losing consciousness. After getting treatment from baba, I was cured. While receiving treatment, baba found that Radha's soul is present in my body. I do not know what happened on the incident day.

Anil Chaudhary, local



I was busy in my own work. One ill woman came and took Radha. Within the time frame of 40-50 days, Baba already cured more than 500 patients. People are coming from far-away for the treatment. Sometimes even police comes and get blessings from him.

Victim's brother Roshan Chaudhary

I am the younger brother of Radha. I was in a house and my sister was cleaning the cowshed. At the same time Kismati Chaudhary came and took my sister with her. When I reached the incident site, they had started to beat her along with Baba. I told them not to beat her and pled others for help however no one helped and everyone was watching her getting thrashed. They even alleged me of being witch. My sister fainted from time to time. They tortured her for about 6 hours. After they were tired of beating her, one of the local called ambulance and took her to the hospital. At present my father, mother and younger sisters are in hospital. I and my

brother with mental disability are in home. At night I feel fear however in the day time I am near to my neighbors.

Conclusion

It was found that Ram Bahadur Chaudhary alias Bholebaba and Kismati Chaudhary severely intimidated Radha Chaudhary in a public place. Police arrested Ram Bahadur Chaudhary on a same day after getting information however he was released in presence of local representative in a condition to present in police station if necessary, after a tremendous pressure was exerted from hi supporter. Police said that SI Dinesh Bista of Area Police Office of Sukhad was suspended on charge of attempting to conceal the incident and complaint against Ram Bahadur Chaudhary, Kismati Chaudhary, Bed Prasad Chaudhary and Chanak Lal Chaudhary has been lodged at District Court of Kailali on c same day under the witch craft allegation act. The case is still under the investigation according to the police. The injured victim received treatment at Seti Zonal Hospital and was given shelter in safe house by one of the NGO of the district.

Recommendations

- Bring the accused to the legal boundary on charge of beating and alleging of being witch.
- Police officials and local representative releasing the accused must be charged.
- Operate awareness program to fight against the harm practices like witch craft allegation prevailing in the society.

Annex

प्रेस विज्ञप्ति

२०७४ फागुन ३०

कैलाली जिल्ला घोडाघोडी न.पा. वडा नं. ५ देउकल्यामा बोक्सीको आरोपमा सोहि ठाउँमा बस्ने राधा चौधरी माथी भएको कुटपिट तथा अमानवीय कृत्याकलाप लिएर बिभिन्न क्रिया, प्रतिक्रिया आइरहेको बेला ०७४ फागुन २८ गते राती घोडाघोडी न.पा.का नगर प्रमुख ममताप्रसाद चौधरीमाथी भएको सांघातिक हमलाको घटनाले हाम्रो ध्यानाकृष्ट भएको छ । घटनाको प्रकृती हेर्दा नगरप्रमुख चौधरीको हत्या गर्ने उद्देश्यले आक्रमण गरेको देखिन्छ । त्यस प्रकारको अपराधिक घटनाको हामी घोर भर्त्सना र निन्दा गर्दै घटनामा संलग्नलाई पत्ता लगाई कानुन बमोजिम कारवाही गर्न सरकारसंग अनुरोध गर्दछौं ।

देउकल्या घटनामा संलग्न रहेका र पिडकहरुलाई बचाउने नाममा मिलापत्र गराउने तथा घटनालाई ढाकछोप गर्ने कार्यमा संलग्न जोकोहिलाई अनुसन्धान गरि कानुन अनुसार कार्बाहि गर्नु पर्छ । नगर प्रमुख माप्रसाद चौधरीले पीडक रामबहादुर चौधरी लगायतका व्यक्तिहरुलाई बचाउन खोजेको हो भने निजलाई कानुन बमोजिम कारवाही गरिनु पर्दछ, तर सबुत प्रमाण, सत्य तथ्य बाहिर आउन नपाउदै उनिमाथी आक्रमण हुनुले कानुनी राज्यको उपहास भएको छ । राधा चौधरीमाथी भएको अमानविय कृत्याकलाप तथा नगर प्रमुखमाथीको आक्रमणका घटनाको सत्यतथ्य बाहिर ल्याई कानुनको प्रत्यभूति दिन सरकारसंग माग गर्दछौं । गंभिर घाईते भई अस्पतालमा उपचार गराईरहनु भएका नगर प्रमुख ममताप्रसाद चौधरीको शीघ्र स्वास्थ्य लाभको कामना पनि गर्दछौं ।

~~1/~~ १/ प्रेम चन्द - अध्यक्ष, कैलाली जिल्ला कृषकाला का
२/ शबक राज जोशी, ~~दल~~ दलगा
३/ चित्रा पनेरु, ~~दल~~ दलगा
४/ सावित्री धिमरे (पति महेन्द्र) आदिकार मञ्च नेपाल
बन्नी चौधरी KPOS
५/ उज्वली चौधरी (धाम पञ्चा (संघ प्रदेश (पञ्चा)

