

## Calcutta Notebook RDF

WHILE THE BINAYAK SEN judgement got wide currency, inviting international media attention, Jeeten Marandi, Anil Ram, Manoj Rajwar and Chatrapati Mondal are not fortunate enough to draw attention among the concerned citizens of India. They are in death row.

The Giridih Lower Court has awarded death sentence to people's cultural activists Jeeten Marandi, Manoj Rajwar, Chhatrapati Mandal and Anil Ram in connection with the Chilkhari killings. On 27 October, 2007, Anup Marandi, the son of Babulal Marandi, ex-chief minister of Jharkhand, was shot dead allegedly by the Maoists along with 19 members of the Nagarik Suraksha Samiti, a vigilante gang promoted and patronised by the ex-chief minister. Jeeten was deliberately and falsely implicated in this case, because Jeeten as a cultural activist has been exposing and opposing the anti-people and repressive policies of the state, through his organisations *Jharkhand Aven* and *Krantikari Janvadi Morcha*. Through his songs, plays and articles he consistently opposed displacement, corporate loot and state repression. Jeeten had been arrested and jailed in the past too as he tried to spread consciousness among people through his cultural activities about the anti-people policies of the government. The state wants to strangle his bold voice. He was being implicated in the Chilkhari case because he wrote an article in three parts in a Hindi daily *Prabhat Khabar*. In the article he tried to explore the reasons behind the spreading of the Naxalite movement where he analysed and exposed the anti-people role of the state and showed the close relations the Naxalites have with the people. On 5th April 2008, after the third part of the article was published, the police immediately arrested its writer when he was returning home from a state committee meeting of Visthapan Virodhi Jan Vikas Andolan, which took place in Ratu Road area, Ranchi.

The state had first put the charge of sedition on Jeeten Marandi where they alleged that he had given 'inflammatory speeches' in the rally that took place on the issue of release of political prisoners on 1st October 2007, in front of Raj Bhavan in Ranchi. After that a series of false cases were slapped on him. Alongwith the Chilkhari case, the state had put two cases from Thana Gaon, one case from Pirtand police station and two cases from Teesri police station. Surprisingly when the cases of Pirtand and Teesri took place, Jeeten was in jail for different cases. This clearly reflects the real intention of the government to implicate him in false cases to silence his voice.

It so happened that one of the suspected killers in the aforesaid massacre also had the same name of Jeeten Marandi who slipped away from the spot and has not been traced since. The police also did not make any serious effort to nab him. Very conveniently they arrested human rights activist Jeeten and made him one of the accused. It does not take much for the police to fabricate so-called 'witnesses' who would testify in the court that they saw artist Jeeten on the spot of the massacre. And for the court the so-called 'eye-witnesses' is what counts most.

In India death sentences are being awarded like freebies. According to a report by the Amnesty International, as many as 140 death sentences were handed out in India during 2006-07. In 130 countries death sentence has already been abolished. Despite sustained campaign by different human rights groups against capital punishment, Indian judicial system, of late, has earned enormous notoreity in passing death sentences, particularly in maoist related cases which are generally fabricated by the police. After the judgement by the Sessions Court of Raipur in the Binayak Sen case, it is the turn of the Giridih Lower Court to

show how judiciary is being influenced by the police even by producing false witnesses and manufacturing lies.

The criminal face of the Giridih police who was hand-in-glove with the then ruling party JVM got unmasked as all the 'accused' were produced before the Sessions Court on 24 March 2009 for the offence under FIR No. 167/07. In the words of Jeeten: "The Giridih Town Police Station-in-Charge called me aside and told me that he was in-charge of the town Thana. However, he bore no signs of his post and was in Civil Dress. For some reason, I was the only accused taken, to be produced before the judge. When I asked why this was being done, the guards told me not to ask questions. When I was leaving the place where we had been waiting, I saw the Town Thana in-charge telling some people 'This is Jeeten Marandi and you have to recognize him". ... "By then the other accused were brought into the court. After signing, we all went back to the place where we were made to wait. It was then that some of the other accused told me that the people to whom the Police Thana in-charge had spoken were actually witnesses in another case FIR No. 170/08. Since some of them were neighbours of my co-accused, they had recognized them!"

Here is a classic case of how the guardians of law work with impunity-the Police Officer introducing the accused before the witness and then asking the witness to identify the accused!

Finally on 1 April 2009 two 'witnesses' Moti Saoo and Subodh Saoo were examined in the court with Moti Saoo 'identifying' Jeeten Marandi as the offender. Despite his counsel bringing the right facts before the court, the conspiracy of impunity prevailed over. □□□