

# BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

Case No. BHRC/Comp. 3090/14

(Suo Motu)

**Subject: Death of a juvenile inmate in Muzaffarpur Remand Home on  
17<sup>th</sup> Aug, 2014.**

This is relating to **Suo motu** cognizance of the **tragic death of a juvenile Rupesh Kumar @ Anup Kumar Singh** of village Naugarh, P.S. Bhagwanpur, district Kaimur in **Muzaffarpur Remand Home** on 17<sup>th</sup> August, 2014.

2. The Commission asked for a joint report from the **DM & SSP, Muzaffarpur** as also from the **Director**, Social Welfare Deptt., Bihar. The reports indicate that the deceased, who was involved in ten cases (none from Muzaffarpur), was transferred, in a huff, and arrived at remand home Muzaffarpur on 10<sup>th</sup> August, 2014 evening. He complained of severe stomach pain and vomiting on 17<sup>th</sup> August (evening), was admitted to Sadar hospital, Muzaffarpur where he died around 9:00 PM. Post mortem examination was conducted by the Medical Board at SKMCH, Muzaffarpur.

3. According to P.M report the deceased bore **eleven injuries** and died due to haemorrhage and shock as a result of the injuries. Injury no. 10 & 11 were caused by **hot solid substance** and rest by impact of hard and blunt substance. Enquiry report indicated that the deceased was **assaulted** by the workers of Building Construction Deptt. inside Gaya remand home after which he was transferred to Muzaffarpur. In Muzaffarpur, the deceased tried to cut his head by a blade on 12.08.2015 which was resisted by other inmates. The reports indicate that the deceased was **never examined medically** and not even before admission to Muzaffarpur remand home which is a requirement under the rules. The deceased was successively denied medical assistance. The Superintendent of remand home, Muzaffarpur Sh. Dharmendra Kumar, knowing fully about the criticality of the issue, absconded from duty for which he has been **placed under suspension by the deptt.**

4. According to the latest report from **SSP, Muzaffarpur** (letter no. 257/HR dt. 06.04.2015), the case of murder of Rupesh Kumar instituted by his father Sh. Kamlesh Singh, vill. Naugarh, PO-Kharanda PS-Bhagwanpur, Distt. Kaimur, registered as Muzaffarpur Town PS Case No. 676/14 dt. 18.08.2014, u/s 323/ 324/325/326/302/120-B/IPC has been instituted against the Superintendents of remand home Gaya & Muzaffarpur and its other employees. **The case has been found to be true and order for their arrest have been issued.**

5. It appears to be a case of gross negligence/willful omission leading to the death of an inmate in remand home. Commission, therefore, directs following actions in the matter :-

(a) A compensation of Rs. 3,00,000 (Three Lakhs) be paid to the family of the deceased, within two months, by the Govt.

(b) Effective administrative actions should be taken against the remand home officials of Gaya & Muzaffarpur and intimation sent to the Commission within three months.

(c) SSP, Muzaffarpur should ensure that investigation of the case is concluded, preferably , within four months.

5. Copy of the order be sent to the (i) **Principal Secretary, Social Welfare Deptt.**, (ii) **Principal Secretary, Home Deptt., Govt. of Bihar** (iii) **DGP, Bihar** (iv) **Director, Social Welfare Deptt.** (v) **DM, Muzaffarpur &** (vi) **SSP, Muzaffarpur** for necessary action and (vii) **Sh. Kamlesh Singh, vill. Naugarh, PO- Kharanda, PS- Bhagawanpur, distt. Kaimur** for information.

Date: 15.04.2015

SP/DS

**Sd/...**  
(Neelmani)  
**Member**