

BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

File Nos. BHRC/Comp. 2029/14

(Suo Motu Cognizance)

Case of under trial prisoner found dead with his body hanging on a tree: (Compensation awarded)

26.11.2015

Relatives of the deceased present. DIG, Prisons present. Superintendent, Central Jail Muzaffarpur present

The deceased was allegedly on judicial remand as he was facing trial. Only after a few days in the jail one morning he was found hanging by a tree in the jail premises. The Commission took notice of the matter as it appeared in the press. The then SP BHRC, Mr. Amitabh Kr. Das was sent for inspection and report. He gave a report and drew following conclusions:-

- 1) "In all probability the death of the prisoner is a case of suicide. The prisoner was suffering from depression. He had suicidal tendency.
- 2) The post-mortem report and the judicial magistrate's inquiry report are awaited.
- 3) The overall situation of the Muzaffarpur Jail leaves much to be desired. The jail is over-crowded and under staffed. There is much resentment against the incumbent superintendent Er. Jitendra Kumar."

Superintendent, Central Jail, Muzaffarpur was also heard. The DIG, Prisons was also heard. It is submitted that during day hours usually the inmates of the jail are free to move within the specified areas of the jail and the deceased took the opportunity of hanging himself by gumcha (towel) as perhaps he was suffering from depression having been accused of killing his

own wife. In any case, the prisoner has committed suicide in the jail and somehow the jail staff should have been able to prevent it. The deceased was 30 years old. He was only accused and was not convicted for any offence. He has a child of 5 or 6 years who according to father of the deceased lives with the grandfather.

The Commission directs payment of compensation of Rs. One lakh out of which twenty-five thousand rupees shall be paid to the father of the deceased who appears to be a poor man. Seventy-five thousand rupees shall be deposited in the name of the minor child and it shall be allowed to be withdrawn only after the child attains the age of 18. In between if any money is needed for education and welfare of the child the guardian of the child may move an application before the DM who shall dispose such application on merit.

Copy of the order be given to the deceased's family, Principal Secretary, Home Department and IG, Prisons, Patna for information and necessary action.

Matter disposed of.

(Justice Bilal Nazki)
Chairperson