

**FILE NO. 4531/4/21/2020 JCD**

**09.06.2022**

This proceeding has been initiated on intimation received from the Superintendent Central Jail, Motihari regarding death of convict prisoner Hare Ram Yadav, aged 41 years on 12/08/2020 while in custody of Central Jail, Motihari during treatment at Sadar Hospital.

After the receipt of almost all the required documents as per the guide lines of NHRC and opinion of Dr.Binoy Kumar Additional Professor Forensic Medicine and Toxicology Department was obtained which is kept as page 85–86/c.

On perusal of record it appears that the Post-Mortem report disclosed that death of convict Hareram Yadav is due to cardiopulmonary arrest due to chronic lung disease. Magisterial enquiry report also disclosed that prisoner died due to chronic lung disease. He found nothing suspicious related to death of deceased.

Dr.Binoy Kumar FMT expert has also opined that patient died due to lung disease and also opined that no any element of medical or administrative negligence could be found from available documents.

In the meantime, in compliance of order dated 8/02/2022, office has produced web copy of order dated 09/05/2022 passed in case no.2458/4/8/2020 JCD relating to death of Hareram Yadav while in custody of Central jail, Motihari. On perusal of that, it appears that NHRC on considering materials available on record comes to following finding:

Perused record. Medical records indicated that UTP was suffering from pain in leg and waist and later on tested positive for Covid-19 and was treated for the same in jail hospital and in higher medical centres till his death. As per inquest there was no injury on the body of the deceased and as per PMR cause of death was cardio respiratory failure due to chronic lung disease. Enquiry Magistrate did not found foul play or negligence in death of the deceased and family member of the deceased did not raise any suspicion on the death. Thus, there is no suspicious circumstance regarding death of the deceased. Hence, reports are taken on record and case is closed.

Since in a similar proceeding NHRC has already has come to above finding and not found anything suspicious regarding death of prisoner The State

Commission is not inclined to proceed further with this proceeding. Accordingly, this case is closed.

CD if available on report, be send back to the Jail Administration

**(Justice Vinod Kumar Sinha, Retd.)**

**Chairperson**