

**File No. 2597/4/36/2020-JCD**

15.09.2022

This proceeding was initiated on intimation received from the Superintendent Shahid Khudiram Bose Central Jail, Muzaffarpur regarding custodial death of Life Convict prisoner Uma Shankar Chaudhary age about 59 years while in custody of Shahid Khudiram Bose Central Jail Muzaffarpur during treatment at SKMCH on 29.05.2020.

Following reports are found available on the record :-

- (i) Copy of Health Screening of prisoners on admission into the prison
- (ii) Copy of Detail Report of Jail Superintendent
- (iii) Copy of complete treatment record of the prisoner inside the jail and outside.
- (iv) Copy of Inquest Report.
- (iv) Copy of Post Mortem Report along with CD
- (v) Copy of Histopathological Examination Report.
- (vi) Copy of Final Cause of Death Report based on FSL Report.
- (vii) Copy of Magisterial Enquiry Report. (p 37-44/c)
- (viii) Medico legal opinion of Dr. Binoy Kumar (page 54-86/c)

Response from NOK of the deceased convict Uma Shankar Chaudhary has also been received (page 80-87/c).

Investigation Division of BHRC has also submitted its report (page 91-92/c).

On perusal of copy of Inquest Report and Postmortem report, it appears that final cause of death is mentioned as due to disease of lungs (fibrosis, congested thickened walls and crystically dilated alveoli) and heart. No external or internal injury was found in postmortem.

Dr. Binoy Kumar Addl. Professor, Deptt. of FM& T, AIIMS, Patna in his opinion had also suggested that the patient died due to disease of heart and lungs.

A magisterial enquiry was also conducted with respect to custodial death of convict prisoner Uma Shankar Chaudhary, who examined witnesses including wife and



son of deceased convict and come to the finding that the deceased convict died due to disease of lungs and heart.

Investigation Division of BHRC after analyzing the materials available on the record, had also concluded :-

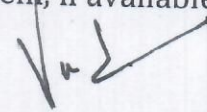
"Deceased convict died due to lungs and heard disease. There is nothing on the record to suggest any element of medical or administrative negligence on the part of Jail or medical administration."

As such there is consistent findings that deceased convict died due to disease of heart and lungs and there is negligence or latches on the part of administration in death of deceased.

Inspite of providing opportunity to the NOK of the deceased convict Uma Shankar Chaudhary, neither any response was brought on record nor any body appears to participate in enquiry on the contrary the copy of Megisterial Enquiry disclosed that wife and son of deceased prisoner had participated in above enquiry but they did not complain about foul play.

As such it is apparent that the deceased convict Uma Shankar Chaudhary died due to disease of lungs and heart. He was provided treatment even at SKMCH, Muzaffarpur but ultimately he died. There is no element of negligence or foul play available on the record.

As such this proceeding is close. CD of postmortem, if available, on the record be returned to the Jail Administration.



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