

File No. 130/4/23/2022-JCD

23.02.2023

This proceeding was initiated on intimation received from the Superintendent, SKB Central Jail, Muzaffarpur regarding custodial death of U.T.P. Md. Dhillu while in custody of SKB Central Jail, Muzaffarpur.

Cognizance had been taken on 07.01.2022

During enquiry, copies of, following reports are made available:-

1. Copy of Health Screening of prisoner on admission into the prison (Page 162/c)
2. Copy of Detail Report of Jail Superintendent (Page 152/c)
3. Copy of treatment record of the prisoner inside the jail and outside (Page 114-150/c)
4. Copy of Inquest Report (Page 157/c)
5. Copy of Post Mortem Report along with CD (Page 113 & 155-156/c)
6. Copy of FSL report (Not preserved)
7. Copy of Histopathological Examination Report (Page 153/c)
8. Copy of Final Cause of Death Report based on FSL Report (Page 154/c)
9. Copy of Magisterial Enquiry Report (Page 173-179/c)

Opinion of Forensic Medicine Expert Dr. Binay Kumar Additional Professor, Department of Forensic Medicine & Toxicology, AIIMS, Patna had been obtained.

Investigation Division of BHRC had also submitted its report.

Inspite of issuance of notice/reminder to the NOK of the deceased providing, an opportunity to submit his/her/their response, neither anybody appears to participate in enquiry nor any materials were brought on the record.

It appears from perusal of record that a similar proceeding relating to custodial death of U.T.P. Md. Dhillu while in custody of SKB Central Jail, Muzaffarpur, pending before NHRC in Case No. 547/4/23/2022-JCD has been closed as the State Commission had taken cognizance, prior to NHRC.

On close scrutiny of materials available on the record it appears that during initial Health Screening Report at the time of admission a wound was found in his buccal cavity. Treatment record disclosed that he was treated during treatment on 29.12.2021. Inquest Report disclosed that the deceased died during treatment.

It further appears that during postmortem no external injuries were found and death was found due to disease of lungs & liver.

After receipt of Histopathological report, final cause of death was found as due to disease of lungs & liver.

Forensic Medicine Expert Dr. Binoy Kumar is of opinion of that the deceased died due complications of squamous cell carcinoma of buccal cavity.

Ld. Magistrate after enquiry also concludes that the prisoner died due to disease of liver and lungs (Natural disease) as a result of cancer of buccal cavity.

It also appears from perusal of copy of MER that the Ld. Magistrate had examined 10 enquiry witnesses including son and mother of the deceased prisoner and they also admitted before enquiry Magistrate that the deceased prisoner was suffering from cancer.

Investigation Division after perusal of materials available on the record opined that the deceased prisoner due to complications of squamous cell carcinoma of buccal cavity (Natural disease)

Investigation Division is also of opinion that there is nothing on the record to suggest any element of medical or administrative negligence on the part of Jail Administration.

Forensic Medicine Expert and Ld. Magistrate are also of opinion that no any administrative or medical lapse/negligence could be found from materials available on the record.

Inspite of giving opportunity to the NOK if the deceased prisoner, nothing has been brought on the record, suggesting anything contrary to above findings.

As such it is apparent that the deceased prisoner Md. Dhillu died due to disease of lungs and liver as a result of cancer of buccal cavity and there is not negligence or laches found on the part of Jail or Medical administration.

Accordingly this file is closed.

CD of postmortem, available on the record, be returned to the Jail Administration.



(Justice Vinod Kumar Sinha, Retd.)
Chairperson