

Judgment and Order

01.02.2024

1. Dr. Rakesh Kumar A.S.P HQ, Saran and Radhe Shyam Suman present today before the Commission.
2. In this case, the Commission has received an intimation of custodial death of a prisoner Md. Nat Son of Hasan Nat residents of Ganj Par Tola, Balua. The death was at the District Hospital Chhapra, Saran on 30.03.2022.
3. Perused the record. Heard Shri Dr. Rakesh Kumar Additional Superintendent of Police, Saran and Radheshyam Jail Superintendent of Police, Chhapra, Saran. Perused the record of custodial death of under trial prisoner Md. Nat including papers of his medical treatment, Autopsy report as well as report of enquiry conducted by the Judicial Magistrate, in the matter of death of the prisoner.
4. The report of Post-mortem examination of dead body of the prisoner shows that there was anti mortem Lacerated wound over occipital area, apart from the fracture of occipital wound. The Autopsy Surgeon has ^{opined} ~~registered~~ that Md. Nat died due to Haemorrhagic Shock, Cause by an intracranical bleeding.
5. The question for consideration is whether the wounds suffered by the prisoner are because of violence on him by the authorities of the State. The answer to this question is in negative for the following reasons :-
6. The record contains report of the Magistrate Enquiry. Statement of witnesses including the Medical Officer of the Prison were recorded by the Learned Judicial Magistrate. Statement of the Medical Officer shows that deceased Md. Nat was admitted in the Zila Hospital for medical treatment for his Alcoholic intoxication from 03.03.2022. During the course of his medical treatment, Md. Nat climbed on a tree in the Zila Hospital and suffered of fall causing Head Injury. Statement of the doctor further shows that this prisoner was admitted to the Sadar Hospital, Chhapra from 25.03.2022 to 28.03.2022 for treating has addiction to ^{Alcoholic} ~~Alcoholic~~ ^{alchole}.

ms

✓ doctor n —16—
7. The Version of the ~~Dr.~~ of the Jail is collaborated by the Statement of several other witnesses, official as well as natural. Other prisoners have stated in the similar line regarding the accidental fall of the deceased from the tree. The death is due to this reason.

8. Thus no fall play on medical negligence is seen from the record of the case. No violation of Human Rights of the deceased prisoner are noted by the Commission. Hence the intimation regarding death of Md. Nat is filed. The complaint is closed.



(Ananta Manohar Badar)
Chairperson