

BIHAR HUMAN RIGHTS COMMISSION (BHRC)

9, Bailey Road, Patna

File No. BHRC/Comp.CD 49/2015

Subject: Murder of a prisoner by co-prisoner inside Special Central Jail, Bhagalpur (03rd Dec,2014)

Case of : Smt. Bibi Nusarat Bano, distt. Banka.

Smt. Bibi Nusarat Bano (Mob. 8757418273) ,W/o Late Latif Miya, Vill & PO- Dahuaa, PS. Bousi, distt. Banka had complained to BHRC that her husband, a convict lodged in Bhagalpur Special Central Jail, was assaulted by another jail inmate, Jung Bahadur Singh, at the behest of Jail Superintendent on 02.12.2014 after which he was rushed to Medical College, Bhagalpur and then to PMCH, Patna where he died on 03.12.2014. She says she has not been paid any compensation . She has five minor children to look after.

2. Commission asked for reports from SSP, Bhagalpur, IG, Prison, Bihar. SSP, Bhagalpur has informed (letter no. 250/C(आयोग)dt. 26.02.2016) that Kotwali(TilakaManjhi) PS Case No. 891/14 dt. 03.12.2014 u/s 302/IPC was lodged by the Jail Superintendent, against life convict prisoner Jung Bahadur Singh vill. Patrawal PS. Vikramganj, distt. Rohtas. After investigation, Charge-Sheet u/s **303/IPC**(murder by a person under sentence of imprisonment for life for which penalty is death) was filed against Jung Bahadur Singh on 21st Dec,2014 in the Court.

3. According to the findings of the Judicial Magistrate, First Class, Bhagalpur who conducted statutory inquiry into the episode, **Latif Miya died as a result of injuries inflicted by his co-prisoner, Jung Bahadur Singh inside the prison on 02nd December,2014.**

4. Since the deceased was in the protection and custody of the State, Commission orders the State Govt. to pay a compensation of Rs. 4,00,000 (Rs. four Lakhs), within two months, to the family of the deceased which includes his wife and five minor children. Rs. 1.5 Lakhs (One Lakh Fifty Thousand) will be paid to the petitioner and Rs. 50,000 (Fifty thousand) each shall be kept in the fixed deposit for each minor children till he/she attains maturity. However, the petitioner (mother) can utilize the interest earned on the fixed deposits for welfare and education of the Children with the permission of the District Magistrate, Bhagalpur.

5. Copy of the order be sent to the (i) **Principal Secretary, Home Deptt. Govt. of Bihar** and (ii) **District, Magistrate Bhagalpur** for necessary action & (iii) **IG Prisons, Bihar** (iv) **SSP, Bhagalpur** and to the (v) **Petitioner** for information

Date: 15.03.2016

Registrar /Asstt. Registrar

Sd/-

(Neelmani)
Member