

# BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

**File No. BHRC/CD.82/13**

Subject: **Death of a convict - delayed medical treatment.**

Case of **Late Mukesh Kumar Singh (Muzaffarpur Central Jail)**

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A convicted prisoner Sh Mukesh Kumar Singh(45yrs), S/o Sh. Ramnarayan Singh , vill. Sarhachia, PS. Auraaee, distt. Muzaffarpur who was sent to SKMCH, Muzaffarpur for life saving treatment on 04<sup>th</sup> Sept,2013, died in the hospital on 28<sup>th</sup> Sept,2013.

2. Commission asked for responses from IG, Prisons, Bihar. All the related documents viz. P.M Report, Histopathological Report, Statutory Inquiry Report of Judicial Magistrate and other related documents were made available to the Commission.

3. According to the Inquiry conducted by Sh. Mithilesh Kumar, Judicial Magistrate, Muzaffarpur the deceased and his father(Sh. Ramnarayan Singh), both convicted in the murder case of granddaughter, were admitted to jail on 16.10.2012. Deceased developed Jaundice and was diagnosed **Haptitis-B** on **13.08.2013** . The medical board referred him to SKMCH **but he could not be sent till 03<sup>rd</sup> Sept,2013 for want of escort /security** despite letters to SSP, Muzaffarpur on 20.08.2013 & 24.08.2013. When his condition became very critical, he was sent to SKMCH with the help of the district police guard deputed at the jail . He died on 28.09.2013 in SKMCH. The Judicial Magistrate has opined that police escort was not provided in time for shifting him to SKMCH. The Judicial Magistrate, however, could not examine the police officers to know the reasons for not providing the security.

4. After death, jail authorities informed Sh. Bibhore Kumar, son of the deceased to take the dead body for cremation. Deceased had already lost his wife and daughter as well as his mother.

5. **It is absolutely clear that the deceased was not sent to SKMCH for treatment in time .Commission, therefore, directs following actions in the matter:-**

(a) **A compensation of Rs. 1, 00,000/-(One Lakh) be paid to the son of the deceased Sh. Bibhore Kumar by the Home Deptt, Govt. of Bihar within two months.**

(b) **DIG, Tirhut Range, Muzaffarpur will look into the reasons why police escort /security was not provided to the deceased in time for taking him to SKMCH. Commission will be expecting a report from DIG, Tirhut Range , Muzaffarpur within two months.**

6. **Reports received from Prison Deptt., Bihar at Pg. (74-42) and the inquiry report of the Judicial Magistrate at Pg.(40-37) , be enclosed with a copy of this order and sent to the (i) Principal Secretary, Home Deptt., Govt. of Bihar & (ii) DIG, Tirhut Range, Muzaffarpur for necessary action.**

7. List on 06<sup>th</sup> Jan, 2017.

Date: 18.10.2016

Sd/...  
(Neelmani)

**Member**

**Asstt. Registrar**