

## BIHAR HUMAN RIGHTS COMMISSION

*9, Bailey Road, Patna*

**File Nos. BHRC/Comp. CD-03/15**

### **Case of Mukesh Prasad: (Custodial death: Compensation awarded by BHRC)**

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23.09.2016

Deceased's family present. Assistant Superintendent, Divisional Jail, Chapra, Saran Sri Subhash Pd. Singh present.

A 25 year old prisoner (Mukesh Prasad, s/o Bhagani Prasad, village Bashinya, P.S. Panapur, district Saran) committed suicide inside jail. He was an under-trial. He was brought to jail on 27.10.2014. He committed suicide by hanging himself on 29.10.2014. The details of the accident have been mentioned in the report of the magistrate.

Since the prisoner was in jail only for a day there was no chance of jail authorities abetting his suicide by putting him into any trouble but the report of the investigation and report of the magistrate clearly mentions that he hanged himself by an electric aluminium wire. A availability of a loose aluminium wire inside the cell in itself is negligence. Had the piece of wire not been available, the prisoner could have not attempted suicide.

The deceased has left behind a father who has two sons who are doing their jobs. According to the police officer and the father, the deceased's wife has re-married but the children have

been left with the father of the deceased. One child is four year old and the other is two year old. The Commission is not aware of the address of the widow of the deceased. It is not even confirmed whether the children are with the widow or the father of the deceased. In any case, the Commission holds that the children of the deceased are entitled to compensation of Rs.50,000 each.

The District Magistrate, Saran will find out as to who has the custody of the children at present and deposit the amount of compensation in the name of the children in a FD. The amount shall be paid to the children on attaining majority. It is submitted by the father of the deceased that the widow of the deceased is living in Taraiya, Saran.

A copy of this order be sent to the father of the widow of the deceased through the SHO. Inquiry was held and the guilty person was also punished.

Copy of the order be given to (i) the widow of the deceased (ii) IG, Prisons and (iii) DM, Saran for information and necessary action, as the case may be.

Compliance report be filed in six weeks.

List on 10.11.2016.

***(Justice Bilal Nazki)***  
***Chairperson***