

## **BIHAR HUMAN RIGHTS COMMISSION**

*9, Bailey Road, Patna*

**File Nos. BHRC/Comp. CD-81/10**

### **Case of Sanjeev Kumar @ Sonu @ Chunnu Singh: (Custodial death: Compensation awarded by BHRC)**

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05.10.2016

Deceased's widow present. DIG, Prison & Correctional Services, Sri Pratap Narayan Singh present.

This case pertains to the death of the prisoner (Sanjeev Kumar @ Sonu @ Chunnu Singh s/o Upendra Pd. Singh, village Khabra, District Muzaffarpur). He was around 42 years on 4.4.2010 when he died. The record shows that on 3<sup>rd</sup> April, 2010 while in jail (Shaheed Khudiram Bose Central Jail Muzaffarpur) he got ill and was sent to hospital where he died. The jail has not maintained any health record of the deceased. He had been admitted in jail on 20<sup>th</sup> January 2010. He remained in jail for more than 3 months.

On 3<sup>rd</sup> April 2010 when he became ill the doctor recorded in his prescription 'diabetic hypertension'. He recorded the blood pressure as 190/120 and referred him to S.K.M.C.H. Muzaffarpur. It appears that the doctor knew at that time that detenuue was diabetic because diabetes could not be diagnosed only by

examining the patient. There is no record to show that during his stay in the hospital he was given any treatment for diabetes. The magistrate conducted an inquiry and on the basis of evidence he found that the deceased had suffered two heart attacks earlier but it appears that the jail authorities did not take proper care of his health which ultimately resulted in his death at the age of 42. There is no record to show that even mandatory health screening was done at the time deceased was admitted in jail.

In view of the facts mentioned hereinabove, the Commission has no doubt that the jail authorities were negligent in giving medical attention to the deceased. When a person is in jail he is in custody of the authorities who are bound under law to protect them. Deceased's widow has also produced the medical record of the detenu prior to his arrest which also suggests that he needed medical attention. The deceased has left behind a widow and three children who are minor.

A compensation of rupees one and a half lakh (Rs.1.50 lakh) is sanctioned in favour of the lady, the widow of the deceased which shall be utilized by her for the welfare of the family. The amount shall be paid within four weeks.

Compliance report be filed by 16.11.2016.

Copy of the order be sent to (i) deceased's widow (ii) IG, Prisons, Patna and (iii) Principal Secretary, Home Department for information and necessary action, as the case may be.

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