

## **BIHAR HUMAN RIGHTS COMMISSION (BHRC)**

*9, Bailey Road, Patna*

**File No. BHRC/CD-14/18**

### **Case of death of under trial prisoner Ashok Khatik.**

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13.10.2020

Due to absence of the Hon'ble Chairperson this matter was heard by undersigned.

Deceased's wife, Shashi Devi and his nephew, Ajay Kr. Sonkar present. Jail Superintendent, Divisional Jail, Sasaram also present.

From records placed on file it appears that deceased under trial prisoner Ashok Khatik remanded to Divisional Jail, Sasaram on 23.12.2017. On the next day i.e. 24.12.2017 he was admitted to Jail Hospital due to fever and gas problems and stayed till 28.12.2017. He was discharged on 29.12.2017. Then again on 09.01.2018 he complained of stomachache for which he was admitted in the same Jail Hospital and stayed till 15.01.2018; he then complained of breathlessness with swollen body parts for which he was sent to Sadar Hospital, Sasaram at 5:50 PM on the advice of Medical Officer of the Jail Hospital. When the condition of the patient deteriorated, then the District Medical Board recommended deceased Ashok Khatik to be sent to PMCH, Patna for better treatment. Hence the deceased prisoner was sent to PMCH Emergency Ward on 16.01.2018 at 12:05 PM where during treatment in the emergency ward he died at 4:40 PM.

Commission called for reports from IG, Prisons. From the MER, viscera report,, histo-pathological report from which it is apparent that Jail Administration has made available all the needed treatment to the deceased Ashok Khatik. He was suffering from Hepatitis, enlarged spleen, ASCITIS which resulted in the death of the deceased during the natural course of treatment. It also appears that before

surrendering to the Court the treatment of the deceased Ashok Khatik was going on in the Helpline Hospital, Varanasi, which the wife and nephew have admitted during hearing;

The viscera report also says "No metallic, Alkaloidal, Glycosidal, Pesticidal or volatile poison could be detected in the content of the glass jar as described above." The Ultrasound report of PMCH says among other things "mild splenomegaly" which confirms that the deceased died of natural causes during treatment and by no assay of reason did he die of unnatural causes.

Final Cause of Death report also confirms that deceased died of lungs and liver disease and its complications. The wife and nephew of the deceased vehemently assert the deceased Ashok Khatik died an unnatural death while the findings above go contrary to their assertions.

Thus under facts and circumstances mentioned above and considering the medical history of the deceased Ashok Khatik it appears that Jail Administration has made available all the needed treatment to the deceased Ashok Khatik on time. It appears that deceased was suffering from Hepatitis, enlarged spleen and ASCITIS which resulted in the death of the deceased Ashok Khatik during natural course of treatment. I do not find any negligence whatsoever on the part of any public authority in the treatment of the deceased under trial, so no case of compensation is made out. Hence the matter is dropped.

Copy of the order be transmitted to the deceased's family as well as to the IG, Prisons, Patna & Jail Superintendent, Divisional Jail, Sasaram, Rohtas.

**(Ujjwal Kumar Dubey.)**  
Chairperson i/c