

BEFORE
TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN, AGARTALA

Complaint No. 74 of 2023

**In connection with custodial death of one R.I. Convict
Namely Sri Banddhan Jhara (age about 33 years)
S/O Sri Bandhu Jhara of Khambhiya, PS- Ghaghra
under District- Gumla, State-Jharkhand.**

FINAL ORDER DATED 20.03.2024

This case has been registered on receipt of a communication from the Superintendent of Kendriya Sansodhanagar, Bishalgarh, Tripura, vide No. F.II-3/KST/BLG/CON/2023/18535 & 18536 dated 28.09.2023, addressed to the Assistant Register (Law), NHRC, New Delhi and the Chairperson, Tripura Human Rights Commission, Agartala in which it is reported that one R.I. Convict namely: Banddhan Jhara @Bandhan Jhora (age about 33 years) S/O Sri Bandhu Jhara of Khambhiya, PS- Ghaghra, District- Gumla, State-Jharkhand, in connection with Case No. ST(T-I) 33/2022 U/S 304(II) of IPC to suffer R.I. for 10 years as per order of the Ld. Sessions Judge, West Tripura, Agartala.

As per advice of the Medical Officer of Kendriya Sansodhanagar Hospital, the said R.I. convict Banddhan Jhara @ Bandhan Jhora was sent to AGMC & GBP Hospital, Agartala on 27.09.2023 and he was admitted in AGMC & GBP Hospital, Agartala on 27.09.2023 at 12.45 hours. But on 27.09.2023 at about 10.50 PM the said R.I. convict Banddhan Jhara @ Bandhan Jhora has expired during his medical treatment at AGMC & GBP Hospital, Agartala.

2. Considering the death of the prisoner in custody, the Commission took cognizance on the basis of the paper placed before the Commission and accordingly an order was passed on 29.09.2023 directing the I.G. Prisons to furnish report in detail in connection with the death of R.I. convict namely: Banddhan Jhara @ Bandhan Jhora .

3. As per order of Commission, I.G. Prisons has forwarded PM examination report in final form based on the report of SFSL and Magisterial Inquiry report along with all other relevant paper/ documents.

4. It reveals from the Magisterial Inquiry report conducted by Oyindrila Majumder, Deputy Collector & Magistrate, Office of the SDM Sadar, West Tripura that R.I.Convict, Namely: Banddhan Jhara @ Bandhan Jhora, died due to his physical illness and no foul play was suspected during the inquiry. However, "the cause of death in this case was kept pending till the availability of visceral toxicological analysis report and histopathological examination (HPE) report".

5. I.G. Prisons has also submitted the final opinion regarding cause of death based on SFSL report, histopathological examination report etc. given by the Medical Officer, Department of Forensic Medicine & Toxicology, AGMC & GBP Hospital. The opinion of the Medical Officers is as follows :-

Final Opinion:- *"Based on post mortem findings, histopathological report and visceral toxicological analysis report the cause of death in this case is myocardial ischaemia with necrotizing hepatitis and interstitial pneumonia. And there is no concomitant poisoning or intoxication".*

6. The Commission has meticulously examined the Magisterial Inquiry report and the final opinion of the doctors regarding the cause of death of R.I. Convict, Namely: Banddhan Jhara @ Bandhan Jhora, along with the other relevant documents.

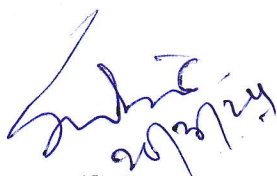
It appears from the above reports that there was no foul play on the part of any officials of KST, Bishalgarh and the cause of death was Myocardial Ischaemia with Necrotizing Hepatitis and Interstitial Pneumonia. And there was no concomitant poisoning or intoxication and no associated poisoning/intoxication detected in the viscera.

Thus it is found that R.I. Convict Namely: Banddhan Jhara @ Bandhan Jhora, died due to his illness and not for any foul play of any of the Govt. officials.

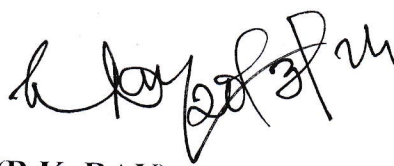
7. In view of the above observations, the Commission is of considered opinion to close the proceeding. In the result, the case is disposed of / closed.

8. Copy of this order be sent to the Secretary, Home Department (Jail) Govt. of Tripura for information.

9. Copy of this order be sent to the I.G. Prisons also for information.


(S.C. SAHA)
MEMBER


(JUSTICE S.C. DAS)
CHAIRPERSON


(B.K. RAY)
MEMBER