

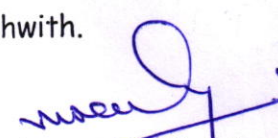
Date: 29. 03. 2017

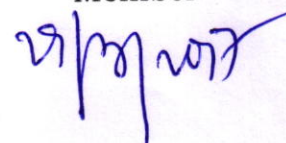
A Telecom Message vide Org. No. 983/Sr. SP.CR dated 21.03.17 has been received from the S.P. Baruipur Police District, intimating custodial death of one accused, namely, Manoranjan Gayen @ Kebla Gayen, son of Ajit Gayen of Ghola Bazar, PO-Doltala Ghola, PS- Baruipur, South 24-Parganas who was declared brought dead by the M.O. of Calcutta National Medical College & Hospital on 21.03.2017 morning..

Ld.Registrar

The Superintendent of Police, South 24-Parganas is directed to make an enquiry and submit a detailed report alongwith copy of Post Mortem and Magisterial Inquest report etc., within four weeks from the date of communication of this direction. Also intimate whether inquest by Judicial Magistrate done under Section 176 (1A)(a) of Cr.P.C.

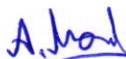
This direction is to be communicated forthwith.

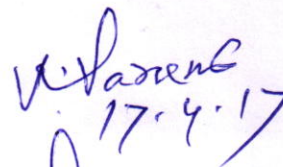

(Napanarajit Mukherjee)
Member


29/03/17

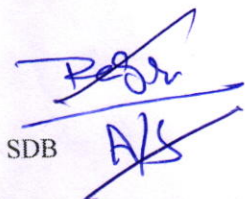
Orders above.

F/C PWA UP for approval.


12.04.2017


17.4.17


17/4/17


SDB



(2)

Two may kindly be seen
Rpt from concerned authority has not
yet been received at this stage we may see
Reminder for rpt on or before 27/6/17 for submit
for adn.

~~P~~
25/05

~~H/S~~

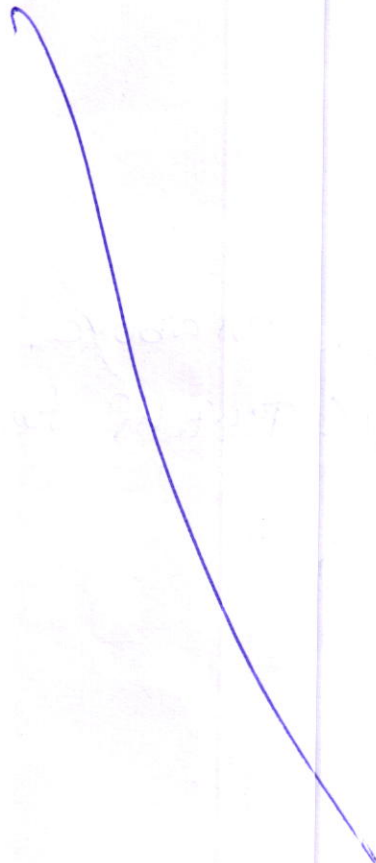
O.I. NO. 314 & 315/NBHR/CD/24/17
Dt 5/06/17

Memo no. 4719E dated 7/8/17 from Sr. Superintendent
of Police (co-ordination) south 24 pgs.

~~SS~~
~~SS~~
T/H/MS

~~Rgp~~

V. Vasanth
18.7.18



NOTE SHEET

(3)

File No, 24/WBHR/CD/2017

On 29.03.17, S.P. South 24 Parganas was directed to make an enquiry with regard to the custodial death of accused namely Manoranjan Gayen @ Kelala Gayen and to submit a detailed report along with ~~to~~ the copy of P.M. report and Magisterial Inquest report and also to intimate whether ~~request~~ ^{request} ~~judicial~~ ^{judicial} enquiry was done u/n 176(1A) of Cr. P.C.

On 07.08.17 Senior Superintendent of Police (Coordination) South 24 Parganas forwarded a report, which was received by WBHR in 06.11.17 but the same was tagged with the file only on 18.07.18. However the same is placed before me today along with records.

It appears from the report that the aforesaid accused person was arrested in connection with two cases being Barrnipur P.S. Case No. 741/17 dated 20.03.17 and Barrnipur P.S. Case No. 744/17 dated 21.03.17 for selling spurious liquor and for causing the death of one person who consumed such spurious liquor. It is further reported that accused person himself also consumed the said spurious liquor and he also fell sick and shifted to Barrnipur S.D. Hospital for treatment and he was referred to National Medical College & Hospital but on arrival to the said hospital he was declared as brought dead.

It appears from the Magisterial Inquest report that no mark of external injury was found in the body of the deceased. As per P.M. report the death was due to the effect of ~~poisoning~~ ^{poisoning} - as noted therein - ante mortem in nature but nature of poisoning might be given on receipt of FSL report.

It further appears ~~therein~~ ^{therein} that viscera of the deceased has been sent to FSL for expert opinion.

It appears from the Judicial Enquiry report that the death of the deceased took place not due to any police atrocity or tortures or brutalities but was due to poisoning and the deceased being an alcoholic as apparent from the medical documents of Barrnipur S.D. Hospital and death may have been caused due to consumption of ID liquor or spurious drink.

Prof Secy / Hon'ble
Member (A)

17.09.18

NOTE SHEET

-6-

NSP-

File No.24/WBHR/CD/2017

An intimation was received from Baruipur Police District on 23/3/2017 ^{ex} intimating that one Manoranjan Gayen @Kebla Gayen resident of P.S.Baruipur was arrested by police in connection with Baruipur P.S. Case No.741/17 dt.20/3/2017 u/s 272/273 IPC and 46AA Bengal Excise Act. On 21/3/2017 morning the accused felt sick and was shifted to Baruipur S.D. Hospital for treatment where from he was transferred to Kolkata Medical College and Hospital for further treatment where it was declared that he was "brought dead." On received ^{16/3/17} of this intimation a direction was issued to submit a detailed report along with copies of post mortem report, ^{by WBHR} magisterial inquest report and enquiry by Judicial Magistrate u/s 176(1A)(a) Cr.P.C. Senior S.P. (co-ordination), South 24 Parganas since submitted these reports received by the Commission on 06/11/17. According to the post mortem report the death was due to effects of poisoning, ante mortem in nature. However, nature of poison might be given on F.S.L. report. The magisterial inquest suggested no external injury and that cause of death would be ascertained from post mortem report. The viscera was sent to FSL for examination. In the meantime, the ^{ex Judicial} magisterial enquiry report was submitted after the same was conducted by Shri Ayan Kumar Banerjee, Addl. C.J.M., First Court, Baruipur. According to the findings of Ld. A.C.J.M "thus, there is no evidence of any torture or atrocities inflicted upon the deceased by police when he was alive and when he was at police lockup. The cause of death as apparent from post mortem report has been stated as due to poisoning. The son and wife of deceased did not make allegation against police and have unequivocally stated that they had met the deceased at Baruipur S.D. Hospital when he was alive and therefore, I am of the considered view that the death of deceased Manoranjan Gayen @ Kebla took place not due to any atrocities or tortures or brutalities but was due to poisoning and the deceased being an alcoholic as apparent from the medical documents of Baruipur S.D. Hospital, the death may have been caused due to consumption of ID liquor or spurious drink." In view of the findings of Ld. ACJM as well as post mortem report, inquest report, I am of the view that police atrocities were not the cause of his death. As such, the matter be filed.

~~Hon'ble Member(J)/Hon'ble Chairman~~

~~Ld. Registrar~~

N. Mukherjee
(N. Mukherjee)
Member

19/9/2018

MS

Call for a copy of the FSL report
by 24th Dec 2018
22/11/18

19/9/18

Order prepared,
F/c signed.

V. Dasgupta
13.12.18

O.I.NO. 140/WBHR/CD/24/17

DT. 19.12.18