

NOTE SHEET

File No. 65/WBHRC/CD/18

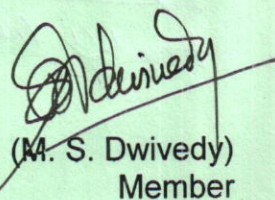
Date: 27.06.2018

A Radiogram Message vide Signal no. 1796//RB dated 25.06.2018 has been received from the Superintendent, Bankura District Correctional Home intimating custodial death of one male convict namely Snehasish Maharaj @ Chowdhury S/o, Lt. Khagendranath aged about 53 years of Village Bamunia, P.O.. Mondalgram, Dist. Burdwan West at the Home on 25.06.18.

Superintendent of Police, Bankura is directed to enquire into the matter and submit a detailed report along with the copy of post-mortem report and the copy of Magisterial inquest report within 4(four) weeks from the date of the communication of this order and to intimate whether enquiry by Judicial Magistrate has been done under Section 176(1A)(a) of Cr.P.C. If so, a copy of the report thereof be sent to the Commission.

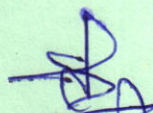
D.G. Correctional Services, West Bengal is directed to submit a detailed report along with copy of Post Mortem and Magisterial Inquest Report etc., to this Commission within four weeks from the date of communication of this direction.

The direction is to be communicated forthwith.

  
(M. S. Dwivedy)  
Member

orders above -  
f/cs put up for approval.

AS

  
29/10/18  
1. 11.18

Albano No. 2008/1(Ca)/RB Dated 12/7/18 from  
Superintendent, Bankura Correctional Home,

~~2/2/18~~

~~3/12/18~~

31.1.19

Report of Superintendent Bankura  
Correctional Home dt 12.7.18 reveals  
that convict Soetasin Mahapatra has been  
found in lacerated condition, inside ward no  
3 of Bankura Dt Correctional Home on  
25.6.18. The Medical Officer of  
the Correctional Home confirmed the death  
of Soetasin Mahapatra. Thereafter Bankura  
PS UD Case no 433/18 dt 25.6.18 started  
Inquest and Post mortem accordingly  
done. As per PM report death was due  
to effects of asphyxia, as a result of antemortem  
laceration. Further opinion may be given after  
receipt of PSL report.

~~Pr. Secy (T)~~  
~~Hon'ble Member (T)~~

5.3.19

6/3.

A/S

Pl. ascertain as to  
whether NHRC has taken  
cognizance of this matter.

5/4/19

NOTE SHEET

- 3 -

Memo No. 7072/E/RC Dated 22/11/18 from  
Superintendent of Police, Bankura.

Memo No. 3169/1/RB Dated 9/10/18 from  
Superintendent, Bankura District Correctional Home.

Memo No. 3167/1(2)/RB Dated 9/10/18 from  
Bankura District Correctional Home.

Com No. 07 Dated 28/11/18 from  
Chief Judicial Magistrate, Bankura.

Memo No. 3616/1(10) RB Dated 28/11/18  
Superintendent, Bankura District Correctional  
Home.

Com. No. 03 Dated 28/11/18 from  
Chief Judicial Magistrate.

*[Signature]*  
18/9/2020

Reply of the query of Hon'ble  
Member (J) at 'A' prepage may  
kindly be furnished.

*[Signature]*  
21.9.2020

A.T.O.

S.O(B.S.)

NOTE SHEET

- 4 -

Order prepage -

NHRC. Ratna  
Cognizance, of the matter. The  
same is placed below. Now the  
file may be placed before  
Md. D.R. for further n.a. to.

~~22/9/2020~~

~~AC~~

The copy of the order passed by NHRC  
is placed in the file for kind perusal  
and further order.

~~Member (A)~~

~~27.11.20~~

PTD -

File No.65/WBHRC/CD/2018

File received on 01/12/2020.

On search it was ascertained that the National Human Rights Commission has not taken cognizance as WBHRC have taken prior cognizance into the matter. Hence, the query at n.sp.2 had been attended.

2. A radiogram was sent by Superintendent, Bankura Dist. Correctional Home authorities to Secretary General, N.H.R.C. and others on June 25, 2018 informing the death of male convict, Snehasish Chowdhury @ Maharaj on 25/6/2018 at about 3 a.m. by hanging in Bankura Dist. Correctional Home. The inmate was a convict under POCSO Act.

3. Inquest report of Executive Magistrate does not indicate any foul play except that the death was, as a result, of strangulation(?) ( The Executive Magistrate has wrongly written hanging as strangulation, apparently not knowing the difference between the two.) Post mortem report indicated that death was due to Asphyxia as a result, ante mortem hanging.

4. Ld. Judicial Magistrate, Molla Mohatab Hossain of 3<sup>rd</sup> Court, Bankura held the judicial enquiry u/s176(1A)(a) Cr.P.C. According to his findings, death was due to hanging and no foul play was involved in it. He has not held any body responsible for this incident but he said that the victim was suffering from mental depression as he was some sort of a Maharaj (Ascetic) who was involved in a POCSO case thereby suffering from loss of prestige in the community. The Judicial Magistrate has given some suggestions which are very general in nature. In my opinion in view of above the matter be filed.

5. I am sorry to point out that the judicial enquiry report of Ld. J.M., 3<sup>rd</sup> Court, Bankura is replete with grammatical errors which were avoidable.

*N. Mukherjee*  
( N. Mukherjee )  
Member 2/12/2020

*Hon'ble chairman*

*[Signature]*  
4/12/20

*[Signature]*