

## BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

File No. BHRC/Comp.4280/14

**Subject: Sec. 107 Cr. P.C proceedings initiated against a dead person by  
Vikarm Police Station of Patna district.**

**Case of Sh. Ravindra Kumar, PS. Vikaram, Distt. Patna.**

Sh. Ravindra Kumar, S/o Late Chandeshwar Mahto, Vill & PS-Vikarm, Distt. Patna had complained to the Commission that his uncle was trying to take possession of his agricultural field by cutting the boundary. The petitioner requested Vikarm Police Station for intervention but instead of providing any help to the petitioner, the A.S.I, Munga Lal Singh under influence by his opposite party, submitted a report u/s 107 Cr. P.C to the SDO against the petitioner **and his brother Sh. Lal Bihari Mahto who had died in the year, 2009.**

2. SSP, Patna was asked to send response. **Addl. SP, Paliganj** who conducted inquiry in the village confirmed that A.S.I Munga Lal Singh of Vikarm P.S had submitted a report to the SDO, Paliganj for initiating 107 Cr. P.C proceedings (for taking bond for maintenance of peace) against the petitioner and his brother who had died long back. The A.S.I, however, informed the SDO a fortnight later that he had included the name of a dead person by mistake. The report of SSP, Patna (letter no. 1422/GS dt. 12.02.2015), signed by someone on his behalf, does not indicate what action had been taken against the A.S.,I,

3. **Commission, therefore, directs following actions in the matter:-**

(a) **A compensation of Rs. 20,000/-(Twenty Thousand) be paid by the Home Deptt., Govt. of Bihar to the wife of the**

deceased (Smt. Mira Devi) within two months for the resultant agony/Human Rights violations she has suffered .

(b) SSP, Patna will inform the Commission about disciplinary action taken against the A.S.I. within a month.

4. Copy of the order be sent to the (i) **Principal Secretary, Home Deptt., Govt. of Bihar** &(ii) **SSP, Patna** for **necessary action**. A copy of complaint filed in BHRC and the report of SSP, Patna be also sent along with the order.

5. **The matter be listed next on 20<sup>th</sup> July, 2015.**

Sd/...

Date: 12.06.2015

(Neelmani)  
**Member**

**DS.**