

This is regarding **inordinate** delay in investigation of Madhepura PS Case no. 55/2004 dated **17.04.2004** u/s 328/302 IPC relating to murder of Shivani, the daughter of complainant Jaimala Devi, W/o Late Shashidhar Yadav, Vill-Sahugarh, PS-Madhepura by poisoning. The complainant had lodged FIR against her relatives Shambhu Prasad and Ramesh Prasad Yadav of village Sahugarh, Diwani Tola, PS Madhepura. The complainant had complained of **police inaction**. In her petition to NHRC which was forwarded to BHRC for action.

2. The Commission took **cognizance** of the matter and found that action against accused persons were kept pending for the last **seven years** on one or the other pretext. Taking serious note of the matter the Commission directed the **DIG, Saharsa** and SP, Madhepura **to take final decision** in the case and intimate about **disciplinary actions against officers** responsible for inordinate delay /inaction. DIG and SP were directed that if they fail to submit report by 14th December, 2012 they will **appear** before the Commission on 17th December, 2012.

3. **DIG, Saharsa** has **submitted a report** to the Commission indicating that **both F.I.R. accused** persons namely Ramesh Prasad Yadav and Shambhu Prasad yadav have been **arrested on 4th December, 2012**, sent to **Jail** and **Charge sheet** is going to be submitted soon against both the accused persons under sections 328, 302/34 IPC.

4. DIG, Saharsa also informs that Police Officers namely S.I. Ram Sahay Rai, S.I. Chandradev Rajak, S.I. Nand Kishore Singh and S.I. Ajay kumar have been awarded **major punishment of black mark** in the departmental proceedings started against them for inaction in the case.

5. Commission is **satisfied** with the response now shown by DIG, Saharsa and SP, Madhepura. **Matter is, therefore, closed in the Commission** at the moment. The petitioner shall, however, have the liberty to approach the Commission again after three months if further intervention of the Commission is required.

6. Copy of the order be sent to **SP, Madhepura, DIG, Saharsa**, IG, Darbhanga and DGP, Bihar and to the petitioner for information.

Date: 19.12.2012

(Neelmani)
Member

DS, SHRC