

Sri Lal Mohan Mandal s/o Sri Newa Lal Mandal, V. Thumha P.S Pipra , SUPAUL complained to the commission that he and Sri Ravindra Ram were **sent to jail on 24.09.2011** for keeping illegal arms in a case registered vide Pipra P.S case no.107/2011 u/s 25(1-B)A/26 Arms Act. SP, Supaul who supervised the case on orders of DIG, Saharsa, found the case **totally false** and held **S.I Smt. Arti Kumari Jaiswal** , the then **SHO**, Pipra P.S, S.I Shambhu Kumar and A.S.I Brij Kishore Singh,Pipra PS responsible for **fabrication of evidence** and directed for institution of a criminal case against them. Lal Mohan Mandal & Ravindra Ram **were released from jail after illegal detention of 56 days**. The petitioner complained that these police officers are still posted in the Police Stations and have not been **punished so far**.

2. Consequent to the direction of the commission , **DIG, Saharsa** has submitted a report indicating :-

- (a) A criminal case vide Pipra PS case no.144/11 dated **16.12.11** u/s 167/211/218/120(B) IPC & 13(1) (D) Prevention of Corruption Act has been instituted against these officers and is being investigated by SDPO, Sadar,Supaul.
- (b) IG, Darbhanga Zone, had issued a review note (memo no. 1990/CR dated 21.12.2011) and entrusted **Supervision** of the above case to **SP, MADHEPURA** who has **not yet submitted his supervision note**.
- (c) Departmental Proceeding nos. 01/12, 02/12 and 03/12 have been started against these officers. Proceedings are pending conduction with Sri Nisar Ahmed Sah, SDPO, Nirmali.
- (d) SI Smt. Arti kumari Jaiswal, SI Shambhu Kumar and ASI Braj Kishore Singh are posted in **Munger, Supaul and Saharsa** districts respectively.
- (e) Adequate compensation can be awarded to Sri Lalmohan Mandal & Sri Ravindra Ram for illegal detention.

3. **After careful consideration of the facts on record the commission directs IG, Darbhanga Zone to ensure:-**

- (a) Supervision of Pipra PS case no. 144/11 is completed by **SP, Madhepura** within **one month** and **investigation** of the case **concluded preferably within three months**. More than a year has passed since institution of the case.

(b) **Departmental proceedings** against the **delinquent officers** are concluded expeditiously and **orders passed in three months.**

4. The delinquent officers are at the moment posted in Munger, Supaul and Saharsa districts. **DG Police should ensure that they are not in a position to influence fair conduction of Investigation of the case and the Departmental Proceeding against them.**

5. Sri. Lalmohan Mandal and Sri. Ravindra Ram remained in **illegal detention for 56 days.** Commissionn, therefore, directs for payment of **compensation of Rs. Thirty thousand each to Sri Mandal and Sri Ram. Principal Secretary, Home Deptt., Govt. Of Bihar to kindly ensure payment within two months.**

6. Copy of the order be sent by **FAX to IG, Darbhanga Zone** for compliance and to DIG, Saharsa, SP, Madhepura & SP, Supaul for information.

7. A copy of DIG, Saharsa report be sent alongwith this order to the **Principal Secretary, Home Deptt., Govt. Of Bihar & DG, Police, Bihar** for necessary action.

7.2.2013

(Neelmani)
Member, BHRC