

BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna – 15

File No **BHRC/COMP. 2892/13**

Case of **Katim Lal Yadav**

16.09.2014

Petitioner is present. SHO Rudrapur, Madhubani District Force, Mr. Rabindra Prasad is also present.

There was a warrant issued by a competent court against the petitioner which he had got recalled by court much before 22nd July, 2013. He was arrested by the police in execution of warrant which had been recalled by the court before that date. On last occasion the Commission issued notice to the SHO Mr. Rabindra Prasad who had executed the warrant. He submits that he along with some other officers had gone to arrest the son of the petitioner who was involved in various cases and since a warrant was also pending against the petitioner they arrested him although the son was not found. The petitioner submits that since he had got the warrants recalled and he showed the order to the SHO who refused to acknowledge it. This is disputed by the SHO but the Commission feels that if a person goes to the court, spends his time and money to get the warrant recalled will definitely show it to the arresting officer when the warrant is sought to be executed. Therefore on this ground the Commission believes the petitioner. There is also other reason to believe the petitioner that the SHO in fact had gone to arrest his son; since he did not find his son just to pressurize the family he arrested the father.

After hearing the parties I think that ends of justice would be met if a compensation of Rs.10,000 is paid to the petitioner and that shall be paid by the SHO concerned from his pocket. He shall pay the amount to the petitioner either directly or through the Commission or deposit it in petitioner's bank account. In case the petitioner wants it deposited in the bank he shall

communicate the necessary particulars of the account to the respondent within a week. The money shall be paid within one month.

Copy of this order be sent to the petitioner and the SP, Sitamarhi for information and necessary action.

(Justice Bilal Nazki)
Chairperson