

BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna
File No. BHRC/Comp.779/16

Case of : Acid attack victims(District Bhojpur)

Sh. Satish Kumar, S/o Sh. Rameshwar Prasad, Village. & Post Benwalia, PS. Bihiya, distt. Bhojpur had complained to the Commission (in Feb,2016) about **police inaction in acid attack** case in the night of 08th Sep,2015 in which his father, mother and sister were badly injured and are undergoing treatment at Apollo Hospital, Delhi.

2. Commission asked for a response from **SP, Bhojpur** in March, 2016. Finding no response, the Commission directed SP, to send the SDPO, Jagdispur with action taken report. SDPO, appeared and presented a report from **SP, Bhojpur** (letter no. 3600/CR dt. 30.5.2016) indicating that the case was registered as Bihiya PS Case No. 261/15 dt. 09.09.2015 u/s 452326-A/307/34/IPC. Out of three accused held guilty after investigation. Accused Sujeet Kumar was **arrested on 14th April, 2016**, his father Abhay Kumar surrendered in the Court on 08th March,2016 and is a jail. Accused Jai Kishore Yadav, who got this attack done to avenge for refusal of the victim girl to his one sided love advances, was granted bail by the Hon'ble High Court, Patna on 03rd May,2016.

3. Report further indicates that compensation granted by DM, Bhojpur @ one lakh each to the victims have been deposited in the bank accounts of petitioner's father and mother but the same could not be deposited in the account of victim girl as she did not have any account in a bank.

4. **The incident happened in September, 2015 but the first arrest was made on 14th April, 2016 i.e after a gap of more than six months and other police actions also followed only after intervention by the BHRC.**

5. The State of Bihar has formulated Victim Compensation Scheme, 2014 and has notified the same on 24.03.2014 (No. L.G-6-01/2011-151/46/leg). The scheme provides for payment of Rs. 3 lakhs to the Acid attacks victim as after – care and rehabilitation measure. The payment has to be made by the District Legal Services Authority and according Para "5" of the notification. Quote " Provided that to the victim of the acid attack Rs. 1,00,000/- (one lac rupees) shall be paid to the victim within fifteen days of the information of occurrence and rest Rs. 2,00,000/-(two lac rupees) shall be paid within the two months from the aforesaid payment".

Health Deptt. Govt of Bihar has also issued a fresh resolution vide Memo No- 839(14) dated 13.7.2015 where under entire medical expenses including plastic surgery to the acid attack victim will be borne by the State Government from Chief Minister Medical Relief Fund.

6. **Commission, therefore, directs as under:-**

(i) SP, Bhojpur to fix-up responsibility for inaction in the case and take stern action and inform the Commission by 15th July,2016.

(ii) SP, Bhojpur should ensure quick submission of Final –Form in the case and request the Court for speedy trial.

(iii) DM, Bhojpur will apprise the Commission, about payment of compensation and status of medical aid to the victim in terms of govt. orders quoted above by 15th July,2016.

7. Copy of the order be **faxed** to (i) **DM, Bhojpur** (ii) **SP, Bhojpur** for **necessary action** and to the (iii) **Principal Secretary, Health Deptt., Govt. of Bihar Patna** (iv) **IG, Patna Zone, Patna** (v) **Secretary, District Legal Services Authority, Bhojpur** and (vi) **Petitioner** for information.

8. The case be listed next on 19th July,2016.

Sd/-

Date: 01.06.2016

(Neelmani)
Member

Asstt. Registrar