

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15344 of 2024

Based on the order dt. 27-09-2024 regarding burning of 80 Dalit Houses in Nawada District.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, the State of Bihar, Patna.
3. The District Magistrate, Nawada.
4. The Superintendent of Police, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.X
For the Respondent/s	:	Mr.P.K.Shahi, A.G. Mr. Anish Kumar, AC to AG.

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
CAV JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 11-12-2024

The above *suo motu* writ petition was registered on a letter received from an Advocate about an incident which occurred on 18.09.2024 within the Nawada District, where the homes of around 80 Dalit families were set ablaze by miscreants. It was stated that these families, who are from the marginalised sections of society and vulnerable, are now left homeless, destitute and are in complete distress. It was alleged that the act of violence against the Dalit community members highlighted a complete breakdown of law and order.

2. We directed the State to file a response, which has



been submitted by a counter affidavit dated 18.11.2024. It is stated that on 18.09.2024 around 7:00 P.M., on receiving information of firing and arsoning by miscreants at Krishna Nagar, Dedaur, the District Magistrate, Nawada and the Superintendent of Police, Nawada along with officers of the Civil Administration, the Police and the Fire Brigade rushed to the place of occurrence and took control of the situation. Thirty Four (34) huts were set to fire by miscreants and steps were taken to ameliorate the condition of the affected persons. The Sub-Divisional Police Officer, Nawada Sadar was specifically assigned the responsibility of maintaining law and order and restoring peace and tranquility in the location. Regular police patrolling with Magistrates were also carried out.

3. First Information Report was registered under the various sections of the Bhartiya Nyay Sanhita, 2024 and the Arms Act, 1959 as also the SC & ST Prevention of Atrocities Act, 1989 in the Muffasil P.S. as Case No. 372 of 2024. Investigation was also commenced against the 28 named accused and other unnamed persons who were yet to be identified.

4. The Superintendent of Police, Nawada has prepared a periodic roster of Police Officers with Armed Forces in 12



nodal points in the vicinity of the place of occurrence. Two Companies of Bihar Special Armed Police and one Riot Control Squad were dispatched to the place of occurrence for maintaining law and order, which was under the supervision of a Deputy Superintendent of Police. A Police Control Room was established at the place of occurrence and both the District Magistrate and the Superintendent of Police were diligently following up the affairs in the location.

5. Forensic Team of the Nawada Police also reached the place of occurrence and collected vital evidence and videographed the crime scene. The collected samples were sent to the Forensic Lab, Patna and a Dog Squad was also dispatched to the crime scene to trace out the miscreants. Out of the 28 named accused in the FIR, 15 were immediately apprehended and produced before the jurisdictional court. The Superintendent of Police, Nawada has constituted a Special Investigation Team (SIT), under the leadership of the Additional Superintendent of Police-cum- Sub-Divisional Police Officer, Nawada Sadar-1, to trace out the accused and apprehend them. Fourteen more miscreants, who were not named in the FIR, were also arrested by the SIT. The main accused, one Nandu Paswan, has also been apprehended. The investigation is going on in the crime



registered. The police has till date seized 03 country made pistols, 03 misfired cartridges, 02 fired bullet cases, 01 pellet, 06 motorcycles and 04 four-wheelers in the crime registered.

6. It is also brought out that the occurrence was an off-shoot of Title Suit No. 22/1995, pending before the Civil Court, Nawada. Charge-sheet has been laid against 12 persons in Muffasil P.S.Case No. 372/2024.

7. The District Administration also established a Relief Camp at the site and provided rations and three time proper food and other amenities to the affected families of Krishna Nagar, Dedaur for the period from 18.09.2024 to 04.10.2024, with a total expenditure of Rs. 21,14,020/-. The District Administration has also distributed first installment of compensation amounting to Rs. 1,00,000/- each to all the 34 affected families and provided additional amounts for fruits, apparels and utensils. The affected families have also been given an amount of Rs. 30,000/- each as compensation for the personal assets destroyed in the incident. An additional amount of Rs.2,00,000/- is also paid to each of the affected families.

8. The job cards under MGNREGA Schemes have been issued to all the 34 affected families, out of which, 22 families are having *pucca* houses and 12 families have been



registered on the Awas Portal and the District Administration is expediting provision of housing facilities for them. Two Self-Help Groups (SHG) have been created under the JEEVIKA Scheme, in addition to the one existing; already operational in the settlement; to ensure credit facilities for the upkeep and livelihood of the women of the affected families after the occurrence. The District Magistrate has also requested the State Project Director, Bihar Education Project Council, Bihar, Patna for the establishment of a Primary School in the settlement after allotting a suitable land, which has been sanctioned by the State Project Director.

9. Ration Cards have been issued to the affected families and the Electric Supply Division, Nawada has made lighting arrangements at the place of occurrence. Special Medical Camps have been organised by the Civil Surgeon-cum-Chief Medical Officer, Nawada and medical check up of all the members of the affected families are being carried out. Ayushman Cards have also been issued to the affected families and vaccination of women and children has also been taken up on a regular basis. The Child Protection Unit Nawada has identified 08 eligible children for sponsorship under the Sponsorship Scheme with a benefit of Rs. 4,000/- per month.



10. We are satisfied that sufficient steps have been taken by the Administration to mitigate the misery and distress suffered by the poor people residing in the crime scene, where arson was committed by miscreants. Since the civil suit is still pending, we direct the Superintendent of Police, Nawada to ensure that there is constant vigil in the locality so that further similar incidents are not repeated. The State would also ensure that the affected families are assisted so as to improve their conditions and bring them to the main stream of society.

11. With the above directions, the writ petition stands disposed of.

12. A copy of the judgment shall be sent by the Registry, to the Chief Secretary, Government of Bihar, who shall communicate it to the District Magistrate, Nawada and the Superintendent of Police, Nawada, for due compliance.

(K. Vinod Chandran, CJ)

Partha Sarthy, J: I agree.

Sujit/-

(Partha Sarthy, J)

AFR/NAFR	NAFR
CAV DATE	06.12.2024
Uploading Date	11.12.2024
Transmission Date	

