

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.270 of 2015

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Tapeshwari Yadav Son of Anandi Yadav, Resident of village- Madhura,
P.S.- Kishanpur, District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna
3. The Superintendent of Police, Supaul
4. The Officer in Charge, Kishanpur Police Station, Supaul

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

4 26-06-2015

A supplementary counter affidavit has been filed on behalf of respondent No.4, the Officer-in-Charge, Kishanpur Police Station, in which it is stated that the girl, Kanchan Kumari, was recovered from Chennai and was brought to Supaul and her statement under Section 164 of the Code of Criminal Procedure was recorded by the Judicial Magistrate on 22.05.2015, in which she has stated that she had gone with Manoj Mehta as per her own wish to various places, including Chennai. She further wanted to go with Manoj Mehta and live with him. The medical report also indicates her age as 19 to 21 years. In the certificate issued by the National Institute of Open Schooling, her date of birth is mentioned as 7.8.1996, which shows that she was major on the date of occurrence, i.e., 14.11.2014.

Accordingly, on the direction of the Judicial Magistrate, Kanchan Kumari was sent along with her husband and mother-in-law considering that she was found twenty weeks pregnant.

Learned counsel for the petitioner in the aforesaid circumstances submits that he does not want to press the habeas corpus petition since the interest of the petitioner was only for recovery of the daughter.

The writ application is, accordingly, dismissed as not pressed.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

(Anjana Mishra, J)

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