

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.239 of 2017

In

Civil Writ Jurisdiction Case No. 1150 of 2016

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Pinki Devi, Wife of Late Avorik Rai, Resident of Bhagwat Nagar,
P.S. Agamkuan, District- Patna, presently residing at House No.- 20,
Montesouri lane, Opposite Marauti Show room, Borin Road, P.S.- S.K.
Puri, Distt. Patna.

.... Petitioner

Versus

1. The State of Bihar through Sri Amir Subhani, Home Secretary,
Government of Bihar, Patna.
2. Sri Anjani Kumar Singh, S/o not known, The Chief Secretary,
Government of Bihar, Patna.
3. Sri P.K. Thakur, S/o not known, The Director General of Police,
Government of Bihar, Patna.
4. Sri Shalini Namadri, W/o not known, The D.I.G, Patna Range,
District- Patna.
5. Sri Manu Maharaj, S/o not known, The Senior Superintendent of
Police, District- Patna.
6. Sri Chandan Kushbaha, S/o not known, The Town Superintendent
of Police, Patna District- Patna.
7. Pashuram Rai, S/o Late Pratap Rai, Presently residing at Bhagwat
Nagar, P.S. Agamkuan, District- Patna.
8. Amarjeet Rai, S/o Late Pratap Rai, Presently residing at Bhagwat
Nagar, P.S. Agamkuan, District- Patna.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Rakesh Kumar, Advocate Mr. S.K..Thakur, Advocate
For the Resp. 7 & 8	:	Mr. Rajeev Ranjan Sinha, Advocate
For the State	“	Mr. Prabhat Kumar Verma, AAG-3 Mr. S.K. Sharma, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

3. 06-03-2017

Heard learned counsel for the petitioner,

learned counsel for the respondents and learned counsel

for the State.



By this application, the writ petitioner, who is the mother of two minor children, seeks to enforce the visitation rights which this Court had granted her by judgment and order dated 22.11.2016 passed in Cr.W.J.C. No. 1150/2016. The judgment and order contains the facts of our decision wherein we have given the custody of two minor children of writ petitioner, who is also petitioner herein, to their uncle instead of mother. It is undeniable fact that petitioner is their mother. She complains that whenever she went to meet the children the opposite parties make an atmosphere not conducive for visit.

All the parties are here including the children. Having heard learned counsel for the parties including the private respondents, we are of the considered view that interest would be best served, if on every Sunday, it shall be the responsibility of the private opposite parties to ensure that the children are dropped at the residence of their mother who must be informed before the children being sent there by 6.00 P.M. in the evening every Sunday. It shall be the duty of petitioner, the mother, to ensure that the children are safely return. The parties must bear in mind that the children who have



already lost their father cannot be deprived totally of their mother as well. The parties would scrupulously follow these directions.

With this observations and directions, this application stands disposed of.

(Navaniti Prasad Singh, J.)

(Vikash Jain, J.)

Rajeev/-

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