

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1111 of 2017

Arising Out of PS. Case No.-73 Year-2017 Thana- DUMRA District- Sitamarhi

=====

Akhtari Khatoon @ Annu Devi, D/o Phool Mohammad Siddiqui , W/o Ajit Kumar Mahto, R/o Village- Barwas, P.S.- Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Home Department, Government of Bihar, Patna,
2. The Director General of Police, Patna.
3. The Inspector General of Police, Tirhut Division, Muzaffarpur,
4. The Deputy Inspector General of Police, Tirhut Division, Muzaffarpur,
5. The Superintendent of Police, Sitamarhi.
6. The SHO, Dumra P.S., Sitamarhi.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa,
Mr. Murad Ashref, Advocates
For the State : Mr. Parth Sarthi,(GA4)

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 02-08-2017

Heard learned counsel for the petitioner and the State.

Petitioner is aggrieved by the order dated 20.05.2017 by which her application for release has been rejected.

It is contended that on the said date the medical report was already in existence but it is erroneously stated in the order that it is still awaited. However, at the time of hearing, learned counsel for the petitioner has fairly admitted that the said medical report was not available on record on that day.

Therefore, this Court would be inclined to dispose of



this matter granting liberty to the petitioner to once again move before the court below by filing a petition along with a copy of this order.

On such petition having been filed, let a decision in accordance with law be taken by the learned Magistrate within a week as the girl is claiming that she is major and already pregnant and she wants her release from confinement in shelter home. The petitioner would be at liberty to raise all the issue including the one that the petitioner, not being an accused, cannot be confined to shelter home without her will.

Let this order be immediately communicated to the court concerned in the form of E Mail /Facsimile Message.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.08.2017
Transmission Date	02.08.2017

