

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1297 of 2017

Arising Out of PS. Case No.- Year- Thana- District- Muzaffarpur

Chhotan Kumar Sahani, Son of Babulal Sahahni, Resident of village –
Hirapur, P.O. Hardi, P.S. Paru, District Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Home Secretary, Govt. Of Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Superintendent of Police, East Champaran, Motihari, Dist-East Champaran, Motihari
4. The Officer Incharge, Pipra Kothi, Dist – East Champaran, Motihari
5. Smt. Munni Devi @ Munni Kumari Devi, wife of Chhotan Kumar Sahani, daughter of Pannalal Choudhary
6. Pannalal Choudhary, son of Late Laxman Sahani
7. Shanti Devi, wife of Pannalal Choudhary,
5 to 7 are residents of village Ramgarh Mahuawa, P.O. Pipra Kothi, P.S. Pipra Kothi, District East Champaran, Motihari

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Gupta, Advocate
For the State	:	Mr. Saroj Kumar Sharma, AC to AAG 3

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 09-08-2017

This application has been filed for issuance of writ of Habeas Corpus as it is stated that the wife of the petitioner is under wrongful confinement of respondent nos. 6 and 7, i.e., her parents.

It is contended that the marriage of the petitioner as well as respondent no. 5 is admitted and a child was also born from the wedlock. However, respondent no. 5 is not being allowed to come to the matrimonial house.



In our view the respondent no. 5 is staying with her parents and that is cannot be held to be illegal confinement. The appropriate remedy for the petitioner may be before the competent forum including the Family Court.

Accordingly, this writ application is dismissed. However, petitioner would be at liberty to move before a competent forum for redressal of his grievance.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
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