

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.813 of 2017

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Muskan Kumari, W/o Pintu Kumar @ Pintu Thathera & D/o Murari Sao, At present Detained in After Care Home, Gayaghat, Patna, R/o Village- Gangasari, P.S.- Barahiya, District- Lakhisarai.

.... Petitioner

Versus

1. The State of Bihar through The Principal Secretary, Home Department, Government of Bihar, Patna.
2. Superintendent of After Care Home, Patna.
3. Vijay Laxmi Devi, W/o Murari Sao, Resident of Village- Barahiya Masjid Gali, P.S.- Barahiya, District- Lakhisarai.
4. Umesh Thathera @ Bahra , Son of Late Sakar Sah, Resident of Village- Gangasari, P.S.- Barahiya, District- Lakhisarai.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K., Advocate
For the State : Mr. Md. Nadim Seraj, G.P. 5,
Mr. Dhurendra Kumar, A.C. to G.P. 5

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 28-06-2017

Heard learned counsel for the petitioner and the State.

In view of the fact that admittedly a Medical Board constituted under the Chairmanship of Civil Surgeon-cum-Medical Officer, Patna, has given its opinion regarding the age of the petitioner vide Annexure C to the counter affidavit filed on behalf of the respondent no.2, this writ application is being disposed of with a liberty to the petitioner to approach the court below by filing a fresh



petition for her release from After Care Home specially in view of the fact that she is a victim and has given birth to a child in the remand home itself.

After such application being filed, the court concerned would be required to take a decision within a fortnight after hearing all the concerned, on its own merit and in accordance with law.

Petitioner would be at liberty to raise all the points in connection with this matter.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
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