

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1123 of 2018

Arising Out of PS. Case No.-210 Year-2017 Thana- GANDHIMAIDAN District- Patna

Om Prakash Sah @ Om Prakash Gupta S/o Late Mukhlal Sah, R/o Mohalla-
Lodipur, P.S.- Gandhi Maidan, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, Through The Principal Secretary, Home Department, Government of Bihar, Patna .
2. Director General of Police, Government of Bihar, Patna.
3. Deputy Inspector General Central Range Bihar, Patna.
4. Senior Superintendent of Police, Patna.
5. City Superintendent of Police (Central), Patna.
6. Thanadhyaksh Gandhi Maidan P.S., Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Tuntun Kumar
For the Respondent/s	:	Mr. Lalit Kishore (Ag)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 23-04-2018

Heard learned counsel for the petitioner and the State.

The grievance of the petitioner is that her daughter has been eloped with one Bappi Prajapati for the purpose of marriage. On this F.I.R. has already been lodged, investigation is going on and warrant of arrest has already been issued and the petitioner's grievance is that the same is not being effectuated.

However, in view of the law laid down by the Hon'ble Supreme Court in **Sakiri Vasu Versus State of Uttar Pradesh and others [(2008) 2 Supreme Court Cases 409]** and again



affirmed in **Sudhir Bhaskarrao Tambe Versus Hemant Yashwant Dhage and others [(2016) 6 Supreme Court Cases 277]**, learned counsel for the petitioner proposes to seek remedy available to him by moving before the concerned Magistrate under section 156(3) of the Cr. P.C. in terms of the aforesaid decision.

Accordingly, this writ application stands disposed of granting liberty to the petitioner to move before the concerned Magistrate for redressal of his grievance, if he is so advised.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.4.2018
Transmission Date	NA

