

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12330 of 2015

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Devika Biswas Daughter of Jagadish Donald Biswas, Resident of B-112,
Sarnatoli, Kadru, P.S.- Doranda, Ranchi- 834002, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna
3. The Principal Secretary, Department of Education, Govt. of Bihar
4. The Principal Secretary, Department of Rural Development, Govt. of Bihar, Patna
5. The Principal Secretary, Department of Human Resources, Govt. of Bihar, Patna
6. The Director General of Police, Patna
7. The Director, Department of Social Welfare, Govt. of Bihar, Patna
8. The Chairperson, Bihar State Child Protection Commission, Patna
9. The District Magistrate, Gaya
10. The Superintendent of Police, Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vikash Kumar Pankaj, Advocate
For the Respondent/s	:	Mr. Chittarajan Sinha, PAAG-2
		Mr. Shailendra Kumar, AC to PAAG-2

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-08-2018

This writ petition in public interest has been filed by the petitioner and the main grievance canvassed was with regard to the menace of child marriage going on in the district of Gaya. It was indicated that 83.8% of the women marriages are below the permissible age and all these marriages come within the purview of child marriage which is prohibited under law. The writ petition



was filed in the year 2015. From time to time orders have been passed and, finally, now from the counter affidavit filed by the respondents, particularly respondent No.9, on 4th of July, 2018, we find that all steps necessary under the Statute for preventing the child marriage have been put into place and Gaya has been declared as child marriage free district.

Learned counsel appearing for the petitioner, however, argues that a child marriage is not reported in the police station by the free will of the public. If on surveillance or secret information received, the police has apprehension of such an incident in an area, it should raid the area for which Sub-divisional Officers of each block/district have been authorized and delegated the power of a Child Marriage Protection Officer. They should be given adequate training and should take surveillance and report to the police if any such incident comes to their knowledge.

Accordingly, learned counsel appearing for the petitioner submits that the petition may be disposed with necessary directions to the district authorities.

Keeping in view the aforesaid and after bestowing our anxious consideration to various aspects of the matter, we direct the district authorities to be more vigilant in the district in question and train the officers, may be by sending them to



specialized institutes for the said purpose, and thereafter they should be sensitive enough to visit the area or village concerned and try to educate the people about the ills of child marriage and also help the police authorities in monitoring and detecting the incidents of child marriage if occurring or proposed to occur in the district.

With a direction to the district authorities to take note of the above aspects of the matter and to ensure implementation in the district in question, we dispose of the matter.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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