

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1667 of 2018

Arising Out of PS. Case No.-169 Year-2018 Thana- RIVILGANJ District- Saran

Najma Khatoon @ Najma Bibi W/o Md. Islam @ Islam Miya, R/o
Samsuddinpur, P.S.- Rivelganj, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The DGP, Patna, Bihar,
3. The Superintendent of Police, Saran.
4. The Sub - Divisional P.S., Chapra, Saran.
5. The Station House Officer, Rivelganj, Saran.
6. The Investigating Officer of Rivelganj , P.S.- Case No. 169/18.
7. Chamcham Khatoon (Victim) D/o Md. Islam, R/o Samsuddin, P.S.- Rivelganj, District- Saran.
8. Shila Devi W/o Lal Babu Choudhary, Residents of Vill.- Samsuddinpur, P.S.- Rivelganj, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Harish Kumar, Advocate
For the State	:	Mr. Prabhu Narayan Sharma (A.C. to A.G.)
For the Respondent	:	Mr. Amarendra Nath Tiwary, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 29-08-2018 Pursuant to the earlier order passed by this Court, the concerned police officer of Rivilganj police station, Chapra has produced the corpus before this Court, but today she is produced from Nari Niketan, Gai Ghat, as she was sent to Nari Niketan, Gai Ghat, pursuant to our earlier order dated 27.08.2018.

Learned counsel appearing on behalf of the State has also brought a medical certificate issued by the medical officer/medical board, under the Chairmanship of Dr. Pramod



Jha, Civil Surgeon-cum-Chief Medical Officer, Patna. The same is directed to be taken on record.

From the aforesaid, it appears that the corpus is major. It is reported that the pregnancy test is found to be positive. The report is directed to be taken on record.

The applicant, as mother of the corpus, is present along with her son, brother of the corpus. It being a Habeas Corpus, the matter was taken up in Chamber. Corpus has stated that she has married with one Shashikant alias Ravi Manjhi, who belongs to Gudari Bazar, P.S. Bhagwan Bazar, District – Saran. She has stated that she desires to go and stay with her husband. She has stated that there is no compulsion and she voluntarily wants to go and stay with Shashikant alias Ravi Manjhi, who is now her husband.

The mother of Shashikant alias Ravi Manjhi, who is now claiming to be mother-in-law of the corpus, is also present before us and she has assured the Court that the corpus will be well taken care of and no harassment shall be caused to her either by her son and/or her family members, including herself.

Learned counsel Sri Amarendra Nath Tiwary has appeared on behalf of the mother-in-law (now) of the corpus.

In that view of the matter, we dispose of the present



Habeas Corpus Petition and permit the corpus to go and stay with her husband as per her wish and desire, as recorded hereinabove.

Concerned police officers/authorities are directed to handover the custody of the corpus to her mother-in-law forthwith, after completing the necessary procedures.

(Mukesh R. Shah, CJ)

(Dr. Ravi Ranjan, J)

K.C.Jha/-

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