

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.2208 of 2018**

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NIHALIKA KUMARI @ NIHALKA KUMARI wife of Sri Abhimanyu Kumar Resident of Village - Gamhari, P.S. Baikunthpur, District Gopalganj.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The Inspector General of Police, Bihar, Patna.
4. The Deputy Inspector General of Police, Saran Range, Chapra.
5. The Superintendent of Police, Gopalganj.
6. The Officer In-Charge, Baikunthpur Police Station, District Gopalganj.
7. Manoj Mishra Son of Sri Dhrupdeo Mishra Resident of Village - Kritpura, P.S. Baikunthpur, District Gopalganj.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Naresh Prasad

For the Respondent/s : Mr. Md. Nasrul Huda Khan (SC1)

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      26-09-2018                      Petitioner is apprehending honour killing in the hands of her own parents because she has gone for marriage against the will of her parents. It is stated that father of the petitioner has lodged one FIR giving rise to Baikunthpur P.S. Case No.148 of 2018 in which it is stated that this petitioner is about 16 years have been kept by the accused persons. The petitioner submits that she loved one of the accused namely Abhimanyu Kumar, son of Suresh Kushwaha and the petitioner being major aged about 19 years decided to marry on her own will and



accordingly she solemnized marriage with the accused namely Abhimanyu Kumar. Copies of the marriage certificate of Arya Samaj Mandir and online marriage registration certificate have been enclosed with this petition.

Learned counsel for the petitioner submits that the petitioner and her husband are permanent resident of the village falling under the same police station, but because of the fear of the parents of the petitioner, both petitioner and her husband have left their parental house and they are residing in another place. In this connection, they have submitted a representation to the officer in-charge, Baikunthpur Police Station and the Superintendent of Police, Gopalganj on 06.08.2018. It is submitted that because the petitioner has married in another caste her parents are not ready to accept her marriage.

On the other hand, learned counsel for the State submits that if the petitioner has submitted a representation to the Superintendent of Police, Gopalganj and the officer in-charge, Baikunthpur Police Station the same shall be looked into and considered.

In the given facts and circumstances of the case, this Court would direct the Superintendent of Police, Gopalganj and the officer in-charge, Baikunthpur Police Station to look into the



representation of the petitioner, consider the same and in case it is found that the petitioner has solemnized her marriage with the accused Abhimanyu Kumar on her own will and volition and she is major capable of taking such decision, he would provide adequate safety and security to the petitioner in whatever manner he deems fit and proper to take care of her security. In such circumstance, if the submissions made by the petitioner are found to be correct, the accused in the FIR being Baikunthpur P.S. Case NO.148 of 2018 shall not be harassed and no routine arrest shall be made unless the investigation reveals that what has been stated by the petitioner is not correct.

This application stands disposed off accordingly.

**(Rajeev Ranjan Prasad, J)**

Arvind/-

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