

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2295 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Muzaffarpur

Ashish Kunal, S/o Radheshyam Singh, R/o Near Bazar Samiti, Ahiyapur P.S.
Ahiyapur, District Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General Of Police Bihar, Patna
2. The Senior Superintendent of Police, Muzaffarpur
3. The Officer in Charge, Muzaffarpur Town Police Station, Muzaffarpur
4. Komal, Daughter of Amlesh Patel, R/o Patritola Gali near Kalyani, P.O.
Mushari, P.S. Muzaffarpur Town District Bihar
5. Amlesh Patel, S/o Late Triveni Singh, R/o Patritola Gali near Kalyani, P.O.
Mushari, P.S. Muzaffarpur Town District Bihar
6. Rubi Devi, W/o Amlesh Patel, R/o Patritola Gali near Kalyani, P.O.
Mushari, P.S. Muzaffarpur Town District Bihar
7. Sudesh Singh, S/o Lalbabu Singh, C/o Amlesh Patel, S/o Late Triveni
Singh, R/o Patritola Gali near Kalyani, P.O. Mushari, P.S. Muzaffarpur
Town District Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sandeep Kumar, Advocate
For the State	:	Mr. Prabhu Narayan Sharma, AC to AG.
For the Respondent Nos. 5, 6 & 7 :	:	Mr. Hans Lal Kumar, Advocate

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 28-09-2018

Heard parties.

The father-in-law of the petitioner and father of respondent No. 4 as well as respondent No. 4 are personally present before us. Though, the F.I.R. has been lodged against the writ petitioner and his cousin brother but it is stated before us by the father of the girl that it was lodged under the misconception



that the girl has been kidnapped. He is further stating that he will not pursue the criminal case bearing Muzaffarpur Town P.S. Case No. 684 of 2018 dated 19.09.2018 and now, he is accepting the marriage between the writ petitioner and his daughter and he will not take any action which would be adverse to their interest. However, it is stated by the father that the girl may have some problem at her in-laws house but the girl, who is present before us, has submitted that she is happily living at her matrimonial house and is not facing any problem.

In such a situation, in our view, now this writ application has lost its efficacy and the same stands disposed of.

However, it is made clear that if the girl or her in-laws faces any threat in future then it would be open for them to approach the concerned Superintendent of Police for getting protection, if required. However, we have already recorded this statement orally made before us by the father of the girl that in future nothing is going to be happen because he has already accepted the marriage.

It is further made clear that the father, mother and family members of the girl would have a visiting right to the girl and the girl also, if she wants, would be free to visit her parents place.



In the changed circumstances, now there would be no requirement of police protection. However, as we have already stated above, if such situation arise, the girl and her in-laws would be at liberty to seek such assistance from the police administration.

With the aforesaid observations and directions, this writ petition stands disposed of.

(Dr. Ravi Ranjan, J)

(Madhuresh Prasad, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	03.10.2018
Transmission Date	N.A.

