

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1945 of 2018

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

Shamsul Hoda Khan, son of M.S. Tauhid Khan, R/o Village and P.O.- Siso (West), P.S.- Sadar, Mabbi, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar Through The Principle Secretary Department of Home.
2. The Director General of Police, Bihar.
3. The District Magistrate, Darbhanga.
4. The Superintendent of Police, Darbhanga.
5. Mahfooz Alam Khan, son of Late Mujibur Rahman Khan @ Majjo Babu, R/o Mohalla- Urdu Bazar (Near Masjid), P.O.- Lal Bagh, P.S.- Laheria Sarai, District- Darbhanga, Pin -846004.
6. Badre Seema Warsi, W/o Mahfooz Alam Khan, R/o Mohalla- Urdu Bazar (Near Masjid), P.O.- Lal Bagh, P.S.- Laheria Sarai, District- Darbhanga, Pin-846004.
7. Zeya Ul Rahman Khan @ Pintu, S/o Mahfooz Alam Khan, R/o Mohalla- Urdu Bazar (Near Masjid), P.O.- Lal Bagh, P.S.- Laheria Sarai, District- Darbhanga, Pin -846004.
8. Unqua Warsi, W/o Shamsul Hoda Khan, D/o Mahfooz Alam Khan, At present Staying at , Mohalla- Urdu Bazar (Near Masjid), P.O.- Lal Bagh, P.S.- Laheria Sarai, District- Darbhanga , Pin -846004.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Smiti Bharti, Advocate
Mr. Radheyshyam Sharma, Advocate

For the Respondent/s : Mr. Prabhu Narayan Sharma, AC to AG

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 30-08-2018

1. Pursuant to earlier order passed by this Court, the corpus, namely Unqua Warsi- respondent no.8 herein, has been brought before the Court. Being the habeas corpus matter, we have taken the matter in chamber. Learned counsel appearing on behalf of the petitioner are also present in Court. Sri Prabhu Narayan Sharma,



learned Assistant Counsel to learned Advocate General is also present. In presence of all, the respondent No.8-corpus has categorically and specifically stated that she wants to stay and reside with her parents. She has stated that she is brought from her parents' house. She has also refused that she is married with the petitioner, as alleged by the petitioner. Petitioner, who is also present, still maintains that the respondent no.8 is his wife.

2. Considering the fact that respondent no.8, who is a major and is educated having studied up to M.Sc and was studying in the 2nd part of LLB, has categorically stated that she is not in the illegal confinement of private respondents herein and that she wants to go and stay with her parents and that she does not want to go and reside and stay with the petitioner, we dispose of the present petition by recording her statement and permit her to go to stay with the private respondents, who are her parents.

3. With this, present petition stands disposed of.

(Mukesh R. Shah, CJ)

(Dr. Ravi Ranjan, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.08.2018
Transmission Date	

