

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.509 of 2019

Arising out of PS. Case No.-153 Year-2018 Thana- BAUSI District- Araria

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BIBI SOHANA KHANAM @ SUHANA KHANAM, Female, Aged about 21 years, Wife of Rupesh Kumar Pandit, D/o Md. Jahid Resident of Village - Vinodpur Ward No. 9 P.S.- Bounsi, Distt - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Darbhanga Division, Darbhanga.
4. The Deputy Inspector General of Police, Purnea.
5. The Superintendent of Police, Araria.
6. The Deputy Superintendent of Police, Araria.
7. The Station House Officer, Bounsi, Police Station, District Araria.
8. The Investigating Officer of Bounsi P.S. Case No. 153/18, District Araria
9. Md. Jahid, Male, Aged about 55 years, Son of Md. Idris, Informant of Bounsi P.S. Case No. 153/18 District Araria. Resident of Village - Vinodpur, Ward No. 09, P.S.- Bounsi, Distt - Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Abhijeet Gautam, Advocate
		Mr. Anil Prasad Singh, Advocate
For the Respondent/s	:	Mr. P.N. Sharma, A.C. to A.G.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 25-03-2019 The petitioner is said to be in the lawful company of Rupesh Kumar Pandit. The petitioner is of the minority community and she alleges to have entered into a relationship with Rupesh Kumar Pandit. This relationship of an alleged marriage can be legalized only by way of an appropriate



registered marriage under the Special Marriages Act and, therefore, it cannot be granted any legal recognition for the purpose of issuing a writ of *habeas corpus* at this stage. A criminal case is stated to have been registered on 25.11.2018.

We are, therefore, not inclined to entertain this petition without prejudice to the rights of the parties to seek their registration of marriage, if permissible in law, and then approach the appropriate forum for redressal of grievances.

The petition is consigned to records.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

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