

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1221 of 2019

Arising Out of PS. Case No.-76 Year-2018 Thana- SIMRA District- West Champaran

Upendra Mushar @ Upendra Kumar Manjhi, Son of Tetar Manjhi @ Tetar Mushar, Resident of Village- Dholbajawa, Police Station- Semra (Chiutaha O.P.), District- West Champaran.

... .. 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 Superintendent of Police, Bagaha, West Champaran.
4. The S.H.O., Semra (Chiutaha), West Champaran (Bagaha)
5. The Superintendent, Government North Remand Home, Gaighat, Patna.
6. Mira Kumari, W/o Upendra Mushar @ Upendra Kumar Manjhi, Daughter of Indrasan Ram, Resident of Village- Dholbajawa, Post Office- Semra Medraul, Police Station- Semra (Chiutaha O.P.), District- West Champaran.
7. Rohit Kumar, Son of Indrsan Ram, Resident of Village- Kaila Tola, Barharwa, Post Office- Semra Medraul, Police Station- Semra (Chiutaha O.P.), District- West Champaran

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr.Arbind Kumar Singh, Advocate
		Mr. Manaur Alam, Advocate
For the Respondent/s	:	Mr.P.N. Sharma, A.C. to A.G.

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-08-2019 Shri Manaur Alam, learned Advocate, holding the brief of Shri Arbind Kumar Singh, learned counsel for the petitioner has advanced his submissions contending that the date of birth as disclosed of the detenu indicates that as on date she has attained the age of majority. Even otherwise, the medical report indicates that she is above 18 years of age. He has also



invited the attention of the Court to the statement of the victim under Section 164 Cr.P.C.

Having perused the same, we find that in the changed circumstances and in view of the current age as reflected, it is open to the concerned person to move an appropriate application before the court where the matter is pending for a direction for the release of the detenu and it shall be open to the court concerned to take notice of these facts and pass appropriate order as expeditiously as possible.

The application stands disposed of.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

PNM

U		T	
---	--	---	--

