

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1584 of 2019

Arising Out of PS. Case No.-164 Year-2019 Thana- ADAPUR District- East Champaran

=====

PUSHPA KUMARI Daughter of Dipendra Prasad Resident of Village-
Kachorwa, Police Station- Aadapur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Home
Afters, Govt. of Bihar, Patna Bihar
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar Bihar
3. The District Magistrate, Patna. Bihar
4. The District Magistrate, East Champaran, Motihari. Bihar
5. The Senior Superintendent of Police, Patna. Bihar
6. The Superintendent of Police, East Champaran, Motihari. Bihar
7. The Superintendent, After care Home, Gaighat, Patna. Bihar

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Adv.
For the Respondent/s : Mr. P.N. Sharma, AC to AG

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 18-11-2019 Petitioner seeks indulgence of this Hon'be Court for
the following reliefs:-

A. A Writ in the nature of Habeas Corpus or any
other appropriate writ/writs, order/orders, direction to release
the Petitioner on her sweet well considering the fact that she



claimed herself as Major and was voluntarily live in relationship with a person at her own choice.

B. A Writ in the nature of Certiorari or any appropriate writ/writs, order/orders for quashing the order dated 06.09.2019 passed in Adapur P.S. Case No.164 of 2019 by the learned S.D.J.M., Raxaul, East Champaran, Motihari whereby and whereunder the learned Magistrate, rejected the prayer of the petitioner to release her on her own sweet will and remanded the petitioner to After Care Home, Gaighat, Patna and directed to the I.O. to hand over the victim to Superintendent After Care Home, Patna.

C. To any other relief/reliefs to which the Petitioner is entitled for and the Hon'ble Court deems fit and proper.

Considering the law laid down by the Apex Court in (2019) 5 SCC 266 in the case of Serious Fraud Investigation Office v. Rahul Modi, the counsel seeks permission to withdraw the present petition with liberty to take recourse to such remedies as otherwise available in accordance with law, including assailing the order by approaching this Court by way of separate petitions, if so required and desired.



Accordingly, the application is dismissed as
withdrawn with the aforesaid liberty.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

K.C.Jha/-

U			
---	--	--	--

