

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16479 of 2018

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Rohit Kumar Son of Sri Laxmi Nath Jha, Resident at C/o-Maheshwar Chandra Niwas, B.B. Srivastava New By Pass, P.O.-Anisabad, P.S.-Gardanibagh, District-Patna.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Chief Secretary, State of Bihar, Patna.
3. The Principal Secretary, Department of Education, Home Government of Bihar,
4. The Principal Secretary, Department of Social Welfare, Government of Bihar,
5. The Director General of Police, Bihar, Patna.
6. The Director Central Bureau of Investigation CBI, New Delhi.
7. The Uttar Raksha Girh, Gayghat, Patna City, Patna.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Manish Kumar No 13 Mr. Rohit Kumar, Advocate in persons
For the State	:	Mr. Lalit Kishore -Advocate General
For the CBI	:	Mr. Bipin Kumar Sinha, SC, CBI

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020

Petitioner has prayed for the following reliefs:-

“I. For issuance of writ of Mandamus or any other writ/writs, order/orders for an appropriate expeditious Judicial Inquiry/ in the gruesome incident of sexual abuse of minor girl



children residing in the government Sponsored children Home for girls (Balika Grih) in Various Districts of Bihar especially in Muzaffarpur District which was being run by the State Government through an N.G.O. namely "Seva Sankalp Evam Vikas Samiti" as the incident of sexual abuse of minor girls is a serious violation of rights of children on the rights of child (UNRC) 1989 and also their fundamental right to life and liberty as guaranteed under the constitution of our country.

II. For issuance of an order, direction or writ in the nature of mandamus directing the respondent authorities for implementing the schemes and essence of juvenile justice act and rules strictly in the state and to take penal action against NGO's government officials and functionaries who are found responsible for dereliction of their duty of protection of life and dignity of the minor children.

(iii) For a direction from this Hon'ble Court to the authorities concerned for setting up of a monitoring committee consisting of members of civil society lawyers, doctors, Psychiatrist social workers officials from Administration, Legislators. Academicians who would monitor these Homes meant to give shelter to the destitute and keep a check or any untoward happening or activity in future and give the inmates proper medical, legal Psychiatric help/counseling and help them to live a better healthy productive life with dignity,.

IV. For a pronouncement in regard to taking over of the shelter homes i.e. Balika Grih Santi Kutir, open shelter, Sudhar Home, Short stay home by the Government fully.

V. For any other relief or reliefs the court may deem fit and proper in the facts and circumstances of the case."

Learned counsel for the petitioner seeks permission to withdraw the present application reserving liberty to seek appropriate remedies in accordance with law, including



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)

(Anil Kumar Upadhyay, J)

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