

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.363 of 2020

Arising Out of PS. Case No.-146 Year-2019 Thana- SUPAUL District- Supaul

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KAILU YADAV @ RAJENDRA YADAV, Son of Vinod Yadav, Resident of
Village- Jhahura, Laukaha, P.S. and District- Supaul, State- Bihar-852110

... .. Petitioner/s

Versus

1. The State of Bihar Through The Director General Of Police, Bihar Patna
2. The Superintendent of Police, Supaul Bihar
3. The Deputy- Superintendent of Police, Supaul Bihar
4. The S.H.O. of Supaul Police Station, District- Supaul Bihar
5. The S.H.O. of Laukaha, O.P., District- Supaul Bihar
6. The Officer- in- Charge/ Investigating officer of Supaul P.S.- Case
No146/2019 Laukaha O.P., Dist- Supaul Bihar
7. Mantosh Kumar, Son of Suvailal Sada
8. Suvailal Sada, Son of Saryug Sada
9. Jamun Sada, Son of Saryug Sada
10. Santosh Kumar, Son of Suvailal Sada

Respondent Nos. 7 to 10 are resident of village- Jhahura, P.S. + District-
Supaul, State- Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Parvez Khan, Adv, Mr. Kuldeep Kumar, Adv.
For the Respondent/s	:	Mr. Vivek Prasad, GP-7 Mr. Pawan Kumar, AC to AG.

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(The proceedings of the Court are being conducted through Video Conferencing and the
Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 26-11-2020

Heard the parties.

Petitioner has prayed for following relief:-

“ (a) For issuance of a direction, order or



writ, including writ in the nature of Habeas Corpus for a direction to the respondent authorities specially the respondent Nos. 2 & 6 to release the petitioner's minor daughter from illegal custody /possession of the private respondents and handed over to the victim girl to her father (the petitioner).
(b) Any other relief/reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

FIR was instituted by the petitioner giving rise to Supaul (Lokaha) P.S. Case 146/19 dated 09.03.2019 instituted under section 366(A)/120-B of Indian Penal Code alleging therein that his minor daughter Rina Kumari has been enticed away by accused Mantosh Kumar in connivance with his family members and thereafter she is traceless.

It has been stated on behalf of the counsel for the State that missing minor girl has been recovered and she will be produced before the Magistrate where her statement under Section 164 Cr.P.C.P will be recorded on basis of which her custody will be decided by the concerned court. Since the girl



has already been recovered no purpose will be served by keeping this matter pending, accordingly, this petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.12.2020
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