

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.326 of 2022**

Arising Out of PS. Case No.-391 Year-2021 Thana- MOTIPUR District- Muzaffarpur

Mahesh Kumar Baitha @ Mahesh Kumar Son Of Late Deonarayan Baitha  
Resident Of Village- Rasool Pur Juneda, P.S. - Motipur, District -  
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Govt. Of Bihar, Patna Bihar
2. The Superintendent Of Police, Muzaffarpur Bihar
3. The Station House Officer, Motipur. Bihar
4. Shamim Faqooqui Son Of Late Md. Sohail Resident Of Vill- Banjariya  
Masjid Tola, P.S. - Banjariya, Dist. - Motihari, East Champaran.
5. Rahmat Elahi Son Of Late Rahmaan Resident Of Village- Rasoolpur, P.S. -  
Motipur, District - Muzaffarpur.
6. Md. Imtiyaz Son Of Rahmat Elahi Resident Of Village- Rasoolpur, P.S. -  
Motipur, District - Muzaffarpur.
7. Md. Ezaaz Son Of Rahmat Elahi Resident Of Village- Rasoolpur, P.S. -  
Motipur, District - Muzaffarpur.
8. Md. Ishtiyaz Son Of Rahmat Elahi Resident Of Village- Rasoolpur, P.S. -  
Motipur, District - Muzaffarpur.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Akash Raj, Advocate  
For the Respondent/s : Mr. P.N. Sharma, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN  
SINGH**

**and**

**HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN  
SINGH)**

4      05-09-2022      This writ application has been filed seeking issuance  
of a writ of *habeas corpus* to produce the petitioner's daughter,  
who, according to the petitioner, is in illegal confinement of  
respondents No. 4 to 8. It is stated in the writ petition that the



daughter of the petitioner was abducted on 16.11.2021 by respondent No. 4 with an intention to marry her. It has further been stated that the petitioner's daughter was produced before the Magistrate in Muzaffarpur on 01.12.2021 and she disclosed to the Magistrate that she had voluntarily married respondent No. 4.

The petitioner has asserted that thereafter, he has not been able to meet his daughter and respondents No. 4 to 8 have not allowed to meet or talk to petitioner's daughter.

In our opinion, this writ application seeking issuance of writ in the nature of writ of *habeas corpus*, in the facts and circumstances noted above, is thoroughly misconceived.

This application is accordingly dismissed.

**(Chakradhari Sharan Singh, J)**

**( Khatim Reza, J)**

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