

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.365 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- SAHAR District- Bhojpur

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Aarti Kumari, Female aged about 39 years Wife of Ravi Ranjan Rai @ Bam, Daughter of Devender Maharaj Permanent resident of Village- Barki Karbashin, P.O. and P.S.- Sahar, District- Bhojpur at Ara, Presently residing at Village- Ismailchak, P.S. and P.O.- Sonapur, District- Saran.

... .. Petitioner- Mother

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General of Police, Patna, Bihar.
3. The Superintendent of Police, Bhojpur at Ara, Bihar.
4. The SHO, Sahar Police Station, Bhojpur at Ara, Bihar.
5. Ravi Ranjan Rai @ Bam, Male aged about 43 years Son of Kant Rai, Resident of Village- Barki Karbashin, P.O. and P.S.- Sahar, District- Bhojpur at Ara (Husband).
6. Urmila Devi, Female aged about 65 years wife of Kant Rai, Resident of Village- Barki Karbashin, P.O. and P.S.- Sahar, District- Bhojpur at Ara (Mother-in-law).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anshuman Das Gupta, Advocate
For the State	:	Mr. Prabhu Narayan Sharma, AC to AG

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and
HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

3 12-08-2022 Heard Mr. Anshuman Das Gupta, learned counsel

for the petitioner and Mr. Prabhu Narayan Sharma, learned AC

to Advocate General for the State.

2. The present writ petition has been filed for the

following reliefs :-

(i) For issuance of writ of



Habeas Corpus, directing the concerned respondent authorities herein, to produce three minor children of petitioner - mother AaroHi Kumari (Female) aged about 14 years, Lucky (Female) aged about 8 years and Aaryan (Male) aged about 5 years.

(ii) For issuance of a writ of mandamus commanding/directing the respondent authorities to provide legal custody/restore the custody of three minor children to the petitioner - mother.

(iii) For any other relief/s for which the petitioner is found entitled to.

3. After some arguments, learned counsel for the petitioner submitted that he may be permitted to withdraw the writ petition to enable him to move before the appropriate forum for seeking custody of the minor child in question.

4. Having regard to the aforesaid, the writ petition stands disposed of as withdrawn with liberty aforesaid.

5. If such a petition is filed within one month from today, it is expected that the Court concerned shall hear and dispose of the same expeditiously.

(Ahsanuddin Amanullah, J)

(Purnendu Singh, J)

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