

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45882 of 2021**

Arising Out of PS. Case No.-45 Year-2021 Thana- KHUSRUPUR District- Patna

YASI KUMARI D/O Jitendra Kumar, W/O Aman Kumar Near Shiv Mandir,  
P.O. - Jhauganj, Paschim Darbaza, Tami Prasad Lane, Gwal Toli, Patna  
-800006.

... .. Petitioner/s

Versus

1. The State of Bihar
2. JITENDRA KUMAR S/o Sri Sant Prasad R/o Station Road, P.S. -  
Khusrupur, District - Patna.
3. Aman Kumar S/o Naresh Prasad R/o Station Road, P.S. - Khusrupur, District  
- Patna.

... .. Opposite Party/s

**Appearance :**

|                          |   |                                       |
|--------------------------|---|---------------------------------------|
| For the Petitioner/s     | : | Mr.Pushkar Narain Shahi, Sr. Advocate |
|                          | : | Mr.Awadhendra Kumar, Advocate         |
| For the Opposite Party/s | : | Mr.Nitya Nand Tiwary, APP             |
|                          | : | Mr.Manoj Kumar, Advocate              |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

6      04-08-2022                      Heard Shri Pushkar Narayan Sahi, learned senior  
counsel for the petitioner, Shri Manoj Kumar, learned counsel  
for the Opposite Party No. 3 and learned APP for the State.

In compliance of the order dated 28.07.2022, the  
petitioner has been produced in the Court by the Superintendent,  
State Aftercare Home Gaighat, Patna. Further, the Opposite  
Party No. 3 who is husband of the petitioner is also present.

The Court in its order dated 28.07.2022 had recorded  
the facts of the case in its entirety and thereafter had asked the  
Superintendent of the State Aftercare Home Gaighat, Patna to



produce the petitioner in Court.

The petitioner who is present herself submits that she is aged about 21 years, but the learned senior counsel again draws the attention of the Court to the finding recorded by the Medical Board and submits that the Medical Board has assessed her to be in between 19 to 20 years, though as per school records, petitioner is aged about 18 and half years.

The Opposite Party No. 3 who is the husband of the petitioner is also present and makes a prayer that the petitioner be released forthwith so that she can accompany him and both of them can lead a happy conjugal life.

The petitioner is also ready and willing to accompany the Opposite Party No. 3 as she had refused to accompany her parents before the learned trial court.

Since the facts of the case have been perused and considered, it is expedient in interest of justice that the petitioner Yasi Kumari be released and she has liberty to go with her husband, Aman Kumar after she completes all the formalities of Aftercare Home Gaighat, Patna.

In view of the facts recorded hereinabove, the order dated 01.07.2021 passed by the learned Judicial Magistrate 1<sup>st</sup> Class Patna City in Khusrupur P.S. Case No. 45 of 2021 is



hereby quashed.

The personal appearance of the Superintendent of Aftercare Home and SHO Khusrupur is hereby dispensed with.

Let this order be communicated to the Senior Superintendent of Police, Patna, Superintendent State Aftercare Home Gaighat and also a copy of this order be given to the learned Advocate on record.

**(Satyavrat Verma, J)**

Shivam/-

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