

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 841 of 2022

Arising Out of PS. Case No.- Year-0 Thana- District- Muzaffarpur

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Guddu Kumar Jha @ Guddu Jha Son of Janak Kishore Jha Resident of Village - vidyajhanp, PO- Titra Ashanad, P.s.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar through the Director General of Police Bihar, Patna. Bihar
2. The Inspector General of police, Muzaffarpur. Bihar
3. The senior Superintendent of Police, Vaishali at Hajipur Bihar
4. The Officer in Charge, Jandaha, P.S., Vaishali Hajipur. Bihar
5. Harishchandra Jha Son of Late Mahendra Jha Resident of Village - Rampur Ramhar, P.s.- Jandaha, Distt.- Vaishali.
6. Navin Jha Son of Harishchandra Jha Resident of Village - Rampur Ramhar, P.s.- Jandaha, Distt.- Vaishali.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Nand Gopal Mishra, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

6 02-09-2022 This application has been taken up *on-line* through video conference.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner claims to be father of a female married to respondent No. 6.

The instant petition has been filed seeking direction to



the official respondent Nos. 2 to 4 to search out and produce the petitioner's daughter before this Court who has been made to disappear from her matrimonial home.

It is not the petitioner's case that his daughter is under illegal detention.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner has got registered a First Information Report also in this regard.

In our considered opinion, this writ application seeking issuance of a writ in the nature of writ of *Habeas Corpus* to the official respondents for production of his daughter before this Court is not maintainable, in the absence of any factual pleading that she is under illegal detention. This writ application, in our view, is misconceived and is accordingly dismissed.

The petitioners shall, however, be at liberty to pursue his remedy before the respondents or the appropriate Court where the criminal case is pending, in accordance with law.

(Chakradhari Sharan Singh, J)

(Khatim Reza, J)

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