

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1104 of 2021

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

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SHAHID ALAM Son of Md. Ayub Alam Resident of Village- Jhirwa, P.O.-
Jhirwa, P.S.- Uchkagaon, District- Gopalganj, Bihar, Pin Code- 841440

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Secretariat, Patna. Bihar
2. KAJAL KUSHWAHA Wife of Shahid Alam, D/o Amod Prasad Resident of Arna Bazar, Arna, Village- Jhirwa, P.O. Jhirwan, P.S.- Uchkagaon, District- Gopalganj.
3. LILAWATI DEVI Wife of Amod Prasad Resident of Arna Bazar, Arna, Village- Jhirwa, P.O.- Jhirwa, P.S.- Uchkagaon, District- Gopalganj.
4. The Superintendent of Police, Gopalganj. Bihar
5. The S.H.O. Uchkagaon Police Station, Gopalganj. Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dr. Alok Kumar Sinha, Advocate
For the Respondent/s : Mr.M. Nasrul Huda Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

7 07-12-2023 In the instant petition, petitioner has prayed for the
following relief(s):-

*“That this is an application
for issuance of appropriate writ/writs,
order/orders, direction/directions in the
nature of Habeas Corpus or any other
suitable writ or direction for release of
Respondent No. 2 from the unlawful
detention and wrongful confinement
from the possession of the Respondent
no. 3 and her family members. Further
be directed to send the Respondent no. 2*



to her matrimonial home to live with petitioner.”

2. Counter affidavit has been filed on behalf of the respondent-state. In their counter affidavit they have indicated that 2nd Respondent is aged about 21 years and she has made certain statements under Section 164 of Cr.P.C.

3. Be that as it may the petitioner is not disputing that 2nd Respondent is living with her parents. Taking note of these facts and circumstances, the present petition does not survive for consideration. Accordingly, the present petition stands disposed of, reserving liberty to the petitioner if he is aggrieved he has to invoke appropriate remedy.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

abhishekk/-

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