

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1454 of 2023

Arising Out of PS. Case No.-381 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

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Malo Devi Wife Of Ravi Sah R/O Ward No. 35, Benta Chouk Ahila, Ps-
Dmch., Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Home Secretary, Patna, Govt. Of Bihar
Bihar
2. The Director General Of Police, Patna, Bihar Bihar
3. The Senior Superintendent Of Police, Darbhanga Bihar
4. The Superintendent Of Police, Sadar, Darbhanga Bihar
5. The Deputy Superintendent Of Police, Land Border, Darbhanga Bihar
6. The S.H.O. (Investigation Officer) Laheriyasarai Ps- Darbhanga Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Respondent/s : Mr. P.K.Shahi, A.G.

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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)

4 05-12-2023 In the instant petition, the petitioner has prayed for
following relief:

(1) That, this Criminal writ petition is going to file in nature of Habeous corpus for directing he respondents specially respondent who is the investigating officer of Laheriyasarai P.S. Case No. 381/22 registered on 11.8.2022 u/s-363 and 366 (A) I.P.C. and 8/12 of POCSO Act to produce the minor daughter of the petitioner who was kidnapped by the named accused persons in F.I.R. on 06.07.2022 till date victim girl is trace less.

Further direction to the investigating officer to do proper investigation of Laheriyasarai P.S. Case No. 381/22 and take proper action against the accused persons who kidnapped the daughter of the ignorant, who are moving here and there with connivance of the police and give threatening the petitioner and his family members to withdraw the case and produce the minor victim girl the daughter of Informant.

2. Counter affidavit has been filed on behalf of the Respondent Nos. 3 to 6 in which they have stated that corpus was secured on 28.10.2023. Para-17 of the counter affidavit reads as under:

“That Kidnapped victim Sapna



Kumari has been recovered with her three months old son Raushan Kumar on 28.10.2023 at 12:35 Hrs. from Village-Godiha, P.S- Noorsarai, District-Nalanda by S.I.T Team with the help of Technical Cell.”

3. Further necessary action should be taken in accordance with the relevant statute, if there is any in-action on the part of the police authority, petitioner is at liberty to file writ petition.

4. Insofar as, in-action in respect of Laheriyasarai P.S Case No. 381 of 2022 registered on 11.08.2022, under Sections 363, 366 (A) of the I.P.C and 8/12 of POCSO Act, concerned officials are requested to expedite the matter in the interest of litigant.

5. With the above observation present petition stands disposed off.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

Mayank/-

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