

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1597 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- MAHKAR District- Gaya

VIKASH KUMAR @ VIKASH KUMAR MALAKAR SON OF BHARAT
MALI RESIDENT OF VILLAGE - HEMARA, PS- MAHKAR, DISTT-
GAYA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, THROUGH THE SECRETARY DEPT. OF
HOME, BIHAR AT PATNA BIHAR
2. THE DISTRICT MAGISTRATE GAYA, DISTT- GAYA BIHAR
3. THE SUPERINTENDENT OF POLICE GAYA, DISTT- GAYA BIHAR
4. THE SUB-DIVISIONAL POLICE OFFICER NIMCHAK BATHANI,
DIST- GAYA BIHAR
5. THE OFFICER IN- CHARGE, PS- MAHKAR, DIST- GAYA BIHAR
6. THE SUPERINTENDENT GIRLS REHABILITATION CENTER,
BODHGAYA, PS- BODHGAYA, DIST- GAYA BIHAR
7. SATISH KUMAR SON OF LATE DWARIKA PRASAD VERMA
RESIDENT OF VILLAGE -HEMARA, PS- MAHKAR, DIST- GAYA

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.
For the Respondent/s : Mr.P.K. Shahi (A.G.)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

and

**HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH)**

2 30-10-2023 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

2. The petitioner claims to have married the daughter
of respondent no. 7. The petitioner is also facing a criminal case
registered for the offences punishable under Sections 341, 504,



506, 363, 366(A) read with 34 of the IPC. He has filed the present writ application seeking issuance of a writ in the nature of *Habeas Corpus* directing release of the daughter of respondent no. 7 who, according to the petitioner, has been illegally confined in Girls Rehabilitation Centre, Bodh Gaya.

3. We do not find any cogent material on record to conclusively infer that the girl, who is in Remand Home, is a major. The contention of the petitioner that the said girl has been illegally confined in Girls Rehabilitation Centre, Bodh Gaya appears to be manifestly misconceived.

4. We do not find any merit in this application and the same is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

(Nawneet Kumar Pandey, J)

Kundan/AKV

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