

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.141 of 2024

Arising Out of PS. Case No.-382 Year-2023 Thana- BIKRAM District- Patna

Rupam Devi Wife of Nitesh Kumar Resident of Village - Sadawah, Ward
No.09, P.S. - Dulhin Bazar, District – Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Director General of Police, Bihar, Patna Bihar
3. The Senior Superintendent of Police, Patna Bihar
4. The Sub-Divisional Police Officer, Paliganj, Patna Bihar
5. The S.H.O. Bikram Police Station, Patna Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Brajbhushan Mishra
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 29-02-2024

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

“ That this is an application for issuance of an appropriate writ/writs, order/orders, direction/directions in the nature of Habeas Corpus to the respondents to search and produce the minor daughter of the petitioner namely Muskan Kumari who has been kidnapped by one Nitish Kumar son of Lakshuman Chaudhary resident of village-Sri Rampur Tola, P.S. Bihta, District- Patna and one unknown from Shahid Chauk, Bikram while she was going to Bikram Mahila College being student of Inter First Year and Shahid Chauk, Bikram Bazar for obtaining photocopy of the documents with his brother.”



2. The Respondent Nos. 3 to 5 have filed counter affidavit. In para 5 it is stated as under:-

“ That the prayer prays by the petitioner is neither tenable nor maintainable in view of the fact that during the course of investigation the victim has been recovered on 29.11.2023 and thereafter produce before the jurisdictional magistrate and her statement was recorded u/s 164 Cr.P.C. in which, in categorical terms she has stated that he has went to her Mausi Ankita at Ranchi on her own will by leaving her house an express her desire that now she is willing to go with her mother. She has also categorically stated none has abducted her and now under the direction of the learned court below she is living with her mother.”

3. In the light of aforementioned development, the present petition do not survive for consideration.

4. Accordingly, the present petition stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

amitkumar/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	05.03.2024
Transmission Date	N/A

