

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.205 of 2025

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

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1. Aradhya Kumari, D/o- Akhilesh Kumar Choubey Resident of Chura Mil Gali, Kurthaul, Kurthaur Patna
 2. Amit Kumar Singh, S/o- Muni Kumar Singh, R/o- 19, Road No-5, East of Chura Mill Kurthaul, Ps- Parsa Bazar, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Home Police, Govt. of Bihar, Patna
2. The Senior Superintendent of Police, Bihar, Patna
3. The Officer in Charge, Parsa Bazar Police Station, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Shashi Priya, Adv., Mr. Ritwaj Raman, Adv., Mr. Rabi Bhushan Prasad, Adv., Mr. Shashank Shekhar, Adv., Mr. Rakesh Kumar Singh, Adv., Ms. Pankhuri, Adv.
For the State	:	Mr. Anil Kumar Singh, G.P.26

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 27-02-2025 The petitioners are young married couple, who performed their marriage under the Special Marriage Act on 8th January, 2025. It is pertinent to mention that petitioner no. 1 is the bride and petitioner no. 2 is the groom. After marriage, the husband and wife are residing together.

2. It is contended on behalf of the petitioners that due to reason that petitioner no. 1 and petitioner no. 2 do not belong to the same caste and they performed inter caste marriage under the Special Marriage Act, the parents and family members of



petitioner no. 1 became inimical, not only against the petitioners but also against the parents and family members of her husband. The petitioner no. 1 submitted two informatory petitions on 18th January, 2025 and 22nd January, 2025 before the Senior Superintendent of Police, Patna, seeking for protection of their life and liberty as well as the life of the family members of her husband, from the hands of her parents and men and associates allegedly engaged by her father to commit some harm to them including ultimate harm of death.

3. Needless to say that a boy, who has attained age of 21 years and a girl, who has attained age of 18 years can marry on their own choice and in marriage either under Hindu Marriage Act or under Special Marriage Act, permission of parents is not necessary.

4. In the instant case, at the relevant time of marriage, under the Special Marriage Act, the petitioner no. 2 was aged about 22 years and petitioner no. 1 was aged about 23 years. They on their own choice have performed marriage under the Special Marriage Act. During the subsistence of marriage, the married couple have the right to live their life freely without any threat, coercion or undue influence.

5. It is submitted by Mrs. Shashi Priya, learned



Advocate on behalf of the petitioners that the petitioners are so much afraid that they are not in a position to stay at Patna and they are moving around taking shelter in their relatives house sometimes at Deoghar, in the State of Jharkhand and sometimes at other places. The petitioner no. 1 wants to stay with petitioner no. 2 at her matrimonial home. The petitioners cannot be threatened for their marriage and maintaining happy and peaceful conjugal life.

6. Learned Advocate on behalf of the State/respondents frankly submits that it is the duty of the State administration to give them proper Police protection and they will be provided with proper Police protection.

7. On this assurance, made by the learned Advocate for the respondents, the instant criminal writ petition is disposed of directing the Police Authority, respondents to give proper Police protection to the petitioners, so that they can stay together and continue with their conjugal life peacefully and happily at the paternal house of petitioner no. 2.

8. Learned Advocate on behalf of the respondents further submits that this Court should take some endeavour to settle the matter amicably because inter caste marriage is very often performed between a young boy and a girl and Court



should take a proactive approach for amicable settlement of the dispute.

9. This Court is aware that the writ Court cannot generally take such endeavour for amicable settlement.

10. However, giving due regard to the submission made by the learned Advocate for the State, this Court proposes to place the matter before the Patna High Court Mediation Centre, Patna and directs the Officer-in-Charge, Parsa Bazar Police Station, Patna to send notice to the parents of petitioner no. 1, mentioning the date of mediation, as fixed by the learned Mediator.

11. Learned Advocate on behalf of the petitioners are also directed to serve notice to the petitioners informing the date of mediation and the learned Mediator shall try to settle the dispute between the parties amicably on the date fixed by the learned Mediator.

12. With the above order, the instant writ petition is disposed of.

(Bibek Chaudhuri, J)

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