

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1203 of 2025

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

Arvind Kumar S/O Late Balmiki Prasad Singh R/O Mohalla- Takiyapar,
Near- Panitanki, P.S- Danapur, P.O- Digha, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home, Govt. of Bihar, Patna Bihar
2. The Sr. S.P., Patna. Bihar
3. The S.P. Sadar, Patna. Bihar
4. The Dy. S.P. Sadar, Patna/Dy. S.P.-1 Kotwali, Patna. Bihar
5. The Law and Order Officer Incharge Kotwali P.S., Patna Sadar. Bihar
6. Anuradha Kumari W/O Md. Arvind Kumar At present resident of Maharaja Complex, Flat No. 601/603 Frazer Road, P.S- Kotwali, Town and Distt.- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate
For the Respondent/s : Mr. J.K Roy, S.C.13
: Mr. Ajay Bhushan Prasad, AC to SC13

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-07-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. This application has been filed for seeking
following reliefs:

*(i) To issue a writ in the
nature of mandamus directing the
respondent the Senior Superintendent of
Police, Patna to comply, obey and
execute the direction issued in the order
dated 01.04.2015 passed in
Guardianship Case No.7 of 2013 passed*



by learned court of Principal Judge, Family Court, Patna; As also the direction issued in the order dated 29.10.2024; passed in Execution Case No.06/2016/150/2016 passed by learned court of Principal Judge, Family Court, Patna in letters and sprit.

(ii) To direct the Senior Superintendent of Police, Patna and other respondent to take prompt response to the letter No.174/2015 and letter No.43 dated 01.02.2016 issued under the authority of learned Principal Judge, Family Court, Patna; And as also letter No.149/24 dated 20.11.2024 issued from the office of the learned Principal Judge, Family Court, Patna addressed to the S.S.P. and D.I.G., Patna Police on seeking execution of the order passed in the said Execution Case No.06/2016.

(iii) To hold and declare that the respondents are obliged to comply and obey the order of the learned Family Court, Patna and are obliged to hand over the two sons (i) Aman Kumar, (ii) Pranay Kumar of petitioner after letting them released from illegal custody of private respondent No.6 hereof.

(iv) To hold and declare that in terms of Article 14 and 21 of Constitution of India and in terms of said order of learned Family Court, Patna



*Police Authority is obliged to redress the
aforesaid grievance of petitioner sooner
than later.*

3. The petitioner wants execution of the order of the
Family Court by this Court, which is not permissible in law.

4. In these circumstances, this application is disposed
of with a liberty the petitioner to approach the Family Court in
accordance with law for the reliefs.

(Sandeep Kumar, J)

anand/-

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