

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.976 of 2025

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

Amit Kumar Rai @ Amit Kumar Ray Son of Indresh Sharma R/o Kamal Vihar, Gali No. 11B, Block, Post and P.S.- Burari, District- North Delhi.
Petitioner

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. The Commissioner -Cum- Principal Secretary, Deptt. Of Home, Govt. of Bihar, Patna Bihar
3. The Director General of Police, Bihar, Patna. Bihar
4. The Deputy Inspector General of Police, Central Range, Patna. Bihar
5. The District Magistrate, Sasaram (Rohta), Bihar Bihar
6. The Senior Superintendent of Police, Patna. Bihar
7. The Superintendent of Police, District- Kaimur Bhabhua, Bihar. Bihar
8. The Deputy Superintendent of Police, Gardanibagh, New Secretariat, Patna. Bihar
9. The Deputy Superintendent of Police, Law and Order, Patna. Bihar
10. The Officer In-Charge, Gardanibagh Police Station, Patna. Bihar
11. The Officer- Incharge, P.s.- Karakat, Rohtas Bihar
12. Beauti Kumari Daughter of Daya Shankar Ray R/o Saristabad, P.S.- Gardanibagh, District- Patna
13. Daya Shankar Ray S/O Kabeshwar Ray R/o Saristabad, P.S.- Gardanibagh, District- Patna
14. Bablu Sharma S/O Daya Shankar Ray R/o Saristabad, P.S.- Gardanibagh, District- Patna
15. Surendra Ray S/O Rameshwar Ray R/o Saristabad, P.S.- Gardanibagh, District- Patna

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Sanjiv Sharan, Advocate Mr. Sanjay Kumar Mishra, Advocate Mr. Aditya Kumar, Advocate
For the State	:	Mr. Raghvendra Kumar, S.C.22
For Res. Nos.12,13&14	:	Mr. Dewendra Narayan Singh, Advocate Mr. Ashutosh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA



ORAL ORDER

(Per: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI)

3 15-05-2025 The present petition has been filed under Article 226 of the Constitution of India in which the petitioner, who is husband of the corpus, has prayed that the respondents be directed to produce the corpus before this Court.

2. Heard Mr. Sanjiv Sharan, learned counsel for the petitioner, Mr. Raghvendra Kumar, learned S.C. 22 for the State as well as Mr. Dewendra Narayan Singh, learned counsel appearing on behalf of Respondent Nos.12, 13 and 14.

3. Learned counsel for the petitioner submits that petitioner is the husband of the corpus and the petitioner got married with corpus, Respondent No.12, on 09.12.2021. However, they resided together for a period of two days and thereafter Respondent No.13, father of the corpus, has forcibly taken away the corpus at his place. It is further submitted that thereafter divorce petition has been filed before the concerned Family Court by Respondent No.12, corpus. However, during pendency of the said proceedings, the concerned Judge of the Family Court passed an order in which it has been observed that Respondent No.12, corpus, has shown her willingness to go with the present petitioner. However, thereafter immediately Respondent No.13, who is father of the corpus, has once again



taken away the corpus along with him. Petitioner has, therefore, filed the present petition.

4. This Court had issued notice to the respondents on 13.05.2025 and directed the police authorities as well as the respondents to produce Respondent No.12, corpus before this Court.

5. Today, the matter was taken up in Chambers. Respondent No.12, corpus is present. We have interacted with the corpus. She has specifically stated before us that she got married with the petitioner on 09.12.2021 and, in fact, she wants to go with the present petitioner, who is her husband. However, she has stated that she is not in illegal custody of Respondent No.13, i.e., her father, as alleged.

6. As the corpus, Respondent No.12, has shown her willingness to go with her husband, i.e., the petitioner, the present petition is allowed and Respondent No.12, corpus, is permitted to go with the present petitioner.

(Vipul M. Pancholi, J.)

(Sunil Dutta Mishra, J.)

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