

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1396 of 2025

Arising Out of PS. Case No.-218 Year-2025 Thana- MADHUBANI TOWN District-
Madhubani

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Rajan Pandit, S/O Jamuna Pandit, Resident of Mohalla- Suratganj Gandhi Chowk, Ward No.- 16, P.S- Madhubani Town, District- Madhubani

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Home Dept, Govt of Bihar, Patna
 2. The Director General of Police, Police Dept, Govt of Bihar, Patna.
 3. The Inspector General of Police, Darbhanga Division, Darbhanga, District- Darbhanga
 4. The Deputy Inspector General of Police, Darbhanga Division, Darbhanga, District- Darbhanga
 5. The Superintendent of Police, Madhubani, District- Madhubani
 6. The Deputy Superintendent of Police, Benipaati, District- Madhubani
 7. The Officer-In-Charge of Madhubani Town Police Station, Madhubani, District- Madhubani
 8. The Investigation Officer of Madhubani Town PS Case No. 218 of 2025, Madhubani, Town PS, Madhubani, District- Madhubani.
 9. Shital Kumari, D/O Rajan Pandit, R/O Village- Suratganj Gandhi Chowk, P.O and PS- Madhubani Town, District- Madhubani
 10. Kurban Ali, Father's name not known to the petitioner, R/O Village- Giraipur Colony Kari Court Nanpara, PS- Sijauli, District- Bahraich, UP.
- Respondents

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the Respondent/s : Mr. Prabhu Narayan Sharma, AC to A.G.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

5 22-07-2025 Heard learned counsel for the petitioner and learned AC to

AG for the State.

2. The wife and two daughters of the petitioner left their

house and the petitioner is not aware of their whereabouts. At his



instance, Madhubani Town P.S. Case No. 218 of 2025 dated 25.05.2025 has been registered for the offences punishable under Sections 137(2), 140(3) and 96 of Bhartiya Nyaya Sanhita.

3. In course of hearing, it transpired that the police is investigating the matter.

4. In our opinion, in such circumstance, a Writ of Habeus Corpus cannot be entertained. What appears to this Court is that the petitioner is looking for proper and speedy investigation of the case which may lead to early recovery of his wife and children.

5. At this stage, learned counsel for the petitioner submits that he may be permitted to convert this writ petition into a Writ for issuance of an appropriate Mandamus/direction to the Investigating Agency.

6. In such circumstance, it would be a Single Judge matter.

7. We permit the petitioner to convert this writ application as may be advised to him. Thereafter, the matter will be listed before appropriate Bench after seeking permission of Hon’ble the Chief Justice.

(Rajeev Ranjan Prasad, J)

(Shailendra Singh, J)

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