

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1790 of 2025

Arising Out of PS. Case No.-204 Year-2024 Thana- SHEOHAR District- Sheohar

Babli Kumari, Daughter of Biraju Paswan, Resident of Village- Bausi, Post-Tirhuta, P.S.- Babu Barahi, District- Madhubani, at present residing at Staff Quarter, Jawahar Navodaya Vidyalaya, Bisahi, P.S.-Sheohar, District-Sheohar.

... .. Petitioner

Versus

1. The State of Bihar
2. The Additional Chief Secretary, Dept. of Home Govt. of Bihar, Patna
3. The Director General of Police, Bihar, Patna.
4. The Additional Director General of Police, Weaker Section, Bihar, Patna.
5. The Senior Superintendent of Police, Patna.
6. The District Magistrate, Sheohar.
7. The Superintendent of Police, Sheohar.
8. The Superintendent of Police, Sitamarhi.
9. The Sub Divisional Police Officer, Sheohar
10. The Officer-in-Charge, Sheohar Police Station, Sheohar.
11. Biraju Paswan son of Late Ram Sagar Paswan, Permanent Resident of village- Bausi, Post- Tirhuta, P.S.- Babu Barahi, District- Madhubani, at present residing at Staff Quarter, Jawahar Navodaya Vidyalaya, Bisahi, P.S.- Sheohar, District- Sheohar.
12. Sanjita Devi @ Sangita Devi, Wife of Biraju Paswan, Permanent Resident of village- Bausi, Post- Tirhuta, P.S.- Babu Barahi, District- Madhubani, at present residing at Staff Quarter, Jawahar Navodaya Vidyalaya, Bisahi, P.S.- Sheohar, District- Sheohar.
13. Rishav Raj, son of Jay Hind Kumar, Resident of village- Khortha, Belahiya, P.O.-Belahiya, P.S.- Belsand (Sitamarhi), District-Sheohar.
14. Jay Hind Kumar, son of Late Chandradeo Baitha, Resident of village- Khortha, Belahiya, P.O.-Belahiya, P.S.- Belsand (Sitamarhi), District-Sheohar.
15. Reena Kumari, wife of Jay Hind Kumar, Resident of village-Khortha, Belahiya, P.O.-Belahiya, P.S.- Belsand (Sitamarhi), District- Sheohar.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Verma, Advocate Mr. Suman Kumar Verma, Advocate Mr. Anish Kumar, Advocate
For the Respondent/s	:	Mr. Prabhu Narayan Sharma, AC to AG



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

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 28-07-2025 Heard learned counsel for the petitioner and learned
AC to AG for the State of Bihar.

2. In the present case, the petitioner claims that her date of birth is 10.07.2007 and the date of birth of Rishav Raj (respondent no. 13) is 27.04.2006. In this way, both are major.

3. The petitioner has moved this Court for the following reliefs:-

“(i) Issuance of an appropriate writ/order/direction upon the concerned/competent state Respondents to produce before this Hon’ble Court both parents of the instant petitioner, namely, Shri Biraju Paswan (Respondent No.11) and Smt. Sanjita Devi @ Sangita Devi (Respondent No. 12) securing thereby their assurance/ undertaking to set free and liberate the petitioner from the state of confinement and physical, mental, emotional and psychological sieze and subjugation meted out to the petitioner in course of her stay at staff Quarter, Jawahar Navodaya Vidyalay, Bisahi, Sheohar ever since 23.08.2024 till the date of desertion, that is, 15.07.2025.

(ii) Issuance of appropriate writ/ order/ direction upon Shri Biraju Paswan, father of the petitioner (Respondent No. 11) as also Smt. Sanjita Devi @ Sangita Devi (Respondent No. 12) to further secure and obtain their solemn undertaking and



assurance not to compel and coerce the petitioner from marrying anybody other than Shri Rishav Raj, S/o- Shri Jay Hind Kumar (Respondent No. 14) in any contingency, whom she married dated 19.07.2024 at Motihari in a Hindu Temple in addition to putting the petitioner under persistent threats, trauma and fear of getting subjected to honour killing.

(iii) Further issuance of an appropriate writ/ order/ direction upon the concerned and competent State Respondents to produce before this Hon'ble Court Shri Rishav Raj (Respondent No. 13), Shri Jay Hind Kumar (Respondent No. 14), and Smt. Reena Kumari (Respondent No. 15) in order to enable the petitioner to find out a secure, safe, dignified and rightful place of residence and shelter at the residential house of Rishav Raj, S/o Reena Kumari & Jay Hind Kumar situated in village Khortha Belahiya, P.S.-Belsand (Sitamarhi) District-Sheohar or at any other appropriate place under their guardianship, care and responsibility in the background of being a minor not below the age of 18 years, competent under law to take decisions and make choices in life as guaranteed to a citizen of India under Article-21 of the Constitution of India, given the fact that the petitioner had married Shri Rishav Raj (Respondent No. 13) on 19.07.2024 at Motihari (East Champaran) in a temple known as Maa Baudhi Mandir, Chatauni under Sadar Police Station in accordance with Hindu rites who had attained majority having been born on 27.04.2006.

(iv) For any other relief/ reliefs to which the petitioner is found entitled to in the facts and circumstances of the case.”



4. In the opinion of this Court, the reliefs as prayed in the writ application cannot be granted by way of a Writ of a Habeas Corpus. Both are major and both are free to live together. There is no complaint that anyone is in confinement by any person.

5. In such circumstance, this writ application is dismissed.

6. The petitioner would be at liberty to seek appropriate relief whatsoever is available to her.

(Rajeev Ranjan Prasad, J)

(Shailendra Singh, J)

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