

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1553 of 2023

Arising Out of PS. Case No.-714 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Nikhath Khatoon Wife Of Md. Rashid Ansari, D/O Alauddin Ansari Resident
Of Village- Salarpur, Post- Murari, Ps- Karpi, Distt- Arwal At Present Village-
Ruhanpar, Po- Salimpur, Ps- Khirimore, Distt- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar Thorough Its Principal Secretary, Home Deptt. Old
Secretariat, Patna Bihar
2. The Director General Of Police, Old Secretariat, Bihar, Patna Bihar
3. The S.P. Arwal Bihar
4. The S.H.O. Karpi Ps Arwal Bihar
5. Rashid Ansari Son Of Md. Muslim Ansari Resident Of Village- Salarpur,
Po- Murari, Ps- Karpi, Distt- Arwal. At Present Silempur, Near Gandhinagar
Police Chowki, Gali No. 2, House Of Arsad, Ps- Silempur, Delhi

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Respondent/s : Mr. Md. Nadim Seraj

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-06-2025 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. This application has been filed by the petitioner for

the following reliefs:-

*1). For issuance of writ(s), order(s), direction(s)
or commanding the respondent nos. 3 & 4 to
immediately arrests respondent no.5 who
deliberately and intentionally disobey the
order of S.D.J.M. Danapur (Patna), order
dated 23.09.2022, 31.01.2023 and 20.03.2023
passed in Complaint Case No. 714 (c) of
2021.*



ii). For commanding the respondent nos. 1 to 4 to immediately hold enquiry as to why respondents no. 5 has not been arrested uptill now, while N.B.W. has been issued by the court of S.D.J.M Danapur (Patna) in complaint case no. 714(c)/2021 issued vide diary no. 595 dated 29.09.2022, D.P. No. 123 dated 10.02.2023 and D.P. No. 234 dated 31.03.2023.

3. This Court cannot direct the arrest of the accused persons of Complaint Case No. 714(C) of 2021 in view of the law laid down by the Hon'ble Supreme Court in the case of ***Arnesh Kumar v/s State of Bihar, (2014) 8 SCC 273.***

4. The petitioner is directed to file an appropriate application in the Court of the Magistrate itself and if such an application is filed, the same shall be considered and disposed of by the Magistrate in accordance with the law.

5. The petitioner is also given liberty to file a Maintenance Case for redressal of her grievances.

6. With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

Shishir/-

U		T	
---	--	---	--

