

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.373 of 2026

Arising Out of PS. Case No.-231 Year-2025 Thana- SIMRI District- Buxar

Mina Devi W/o Jai Narayan Singh, Resident of Village - Dullahpur, P.S. -
Simari, Distt. - Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through its the Director General of Police, Bihar at Patna Bihar
2. The Inspector General of Central Police Range at Patna. Bihar
3. The Deputy Inspector General of Police Shahabad Range at Dehri -on -
Sone, Dist. - Rohtas. Bihar
4. The District Magistrate at Buxar Resident of Village - Dullahpur, P.S. -
Simari, Distt. - Buxar.
5. The Superintendent of Police, Buxar at Buxar. Bihar
6. The Station House Officer, Simri Police Station, Dist. - Buxar. Bihar
7. Sri Amrendra Singh Son of Late Rajbihari Singh Resident of Village -
Dullahpur, P.S. - Simari, Distt. - Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Gupta, Advocate
For the Respondent/s	:	Mr. S.C.-13

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-07-2026 Heard learned counsels for the parties.

2. The present writ petition has been filed seeking direction to the respondent authorities to recover the father-in-law of the petitioner from illegal custody of private respondent no. 7.

3. From the relief it appears a writ of *Habeas Corpus* is being sought from this Court. A writ of *Habeas Corpus* is not maintainable before this Court as a Division Bench is having roster for the same. Therefore, the criminal writ



under Article 226 of the Constitution of India could not be entertained for this purpose.

4. A counter-affidavit has been filed on behalf of the State respondents and in the counter-affidavit, it has been mentioned in paragraph no. 7 that the statement of father-in-law of the petitioner was recorded under Section 183 of the B.N.S.S., 2023, wherein he stated that he has been staying with the private respondent out of his own will and during investigation it has also been found that father-in-law of the petitioner disclosed that he is having two sons and despite advanced age, his sons are not looking after him and he was not being provided food on time and therefore, he shifted to the house of one of his relatives, the private respondent no. 7 herein.

5. In the light of these facts and circumstances a criminal writ cannot be entertained and the present writ petition is disposed of directing the petitioner to have recourse of law in appropriate proceeding if she is still aggrieved.

(Arun Kumar Jha, J)

Shahnawaz/-

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