

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1038 of 2026

Sudhir Kumar S/o Birendra Kumar R/o Village and P.O and P.S - Mahua,
District - Vaishali, Bihar representing Mahima Kumari, Daughter of Sanjiv
Kumar, R/o Village - Jalalpur, District -Vaishali, P.O- Laxmanpur, P.S-
Jandaha ,Rampur Ramhar, District - Vaishali, Bihar- 844122

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Home Department,
Government of Bihar Old Secretariat, Patna, Bihar
2. The District Magistrate Vaishali Bihar
3. The Officer-in-charge Vaishali, Bihar. Bihar
4. Sanjiv Kumar (Father) N/A Resident of Village - Jalalpur, P.O- Jalalpur, P.S-
Jandaha, District - Vaishali, Bihar- 844122
5. Reema Devi (Mother) N/A Resident of Village - Jalalpur, P.O - Jalalpur, P.S
- Jandaha, District - Vaishali, Bihar - 844122
6. Gautam Kumar (Brother) S/o Sanjiv Kumar Resident of Village - Jalalpur,
P.O- Jalalpur, P.S- Jandaha, District - Vaishali, Bihar- 844122

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ankit Kumar Singh, Advocate
For the Respondent/s : Mr. Prabhu Narayan Sharma, AC to AG

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
And
HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

3 15-05-2026 The matter has been called out.

2. Learned AC to learned AG has, on the basis of
instruction received from the competent Police Officer,
informed this Court that it is a fact that victim lady has been
confined by her parents.

3. This Court has been informed that the victim is in-
fact being compelled to commit suicide. All this is happening
because the petitioner and the victim belonged to two different
class/castes.

4. Police is said to have rescued the victim lady.



5. We would like to interact with the victim lady in our Chambers at 2:15 PM today itself. The petitioner may also be present in person.

**Later on at
4.00 PM**

6. Heard learned counsel for the petitioner and learned AC to AG for the State of Bihar.

7. Pursuant to our order dated 13.05.2026, the corpus Mahima Kumari, D/o Sanjiv Kumar, resident of village-Jalalpur, District-Vaishali has been produced in Chambers by S.I. Chandra Kishore Mandal of Jandaha police station in the district of Vaishali.

8. The petitioner Sri Sudhir Kumar is also present. We have interacted with the corpus Mahima Kumari in presence of learned counsel for the parties.

9. This Court has been informed that the corpus was confined in her house by her parents since June, 2025. She was not being allowed to come out with her house. Her mobile phone and laptop etc. were also seized. Upon interaction with the corpus, we have no iota of doubt that she was unlawfully confined in her house by her own parents and brother. The corpus is herself a Graduate from Patna Women's College. The petitioner is presently posted as Assistant Commissioner, Commercial Taxes, Patna North. Both of them had entered into



an engagement on 06.10.2023 in presence of their friends and they want to marry. The only impediment happened to be the caste.

10. In the facts and circumstances which have been placed before us, we are of the considered opinion that the corpus Mahima Kumari being adult is free to choose her life in her own way. We set her a free. She may go to live at a place of her choice.

11. We have noticed that the petitioner had made several representations before the Officer In-charge, Jandaha police station, Vaishali. He had brought to the notice of the S.H.O., Jandaha police station that Mahima Kumari has been confined in her house, she is adult and the petitioner and Mahima Kumari both had entered into an engagement. He had requested the S.H.O. to take appropriate action to set a free the corpus but despite the written information furnished to the S.H.O. of Jandaha police station no action was taken. We are afraid that such insensitive officers in the police force would only diminish the faith of the people at large in the police administration.

12. We, therefore, direct the Superintendent of Police, Vaishali at Hajipur to consider transfer and posting the officer



in-charge of Jandaha police station who did not pay heed to the complaint of the petitioner to somewhere else where only the office work may be taken from him. Such insensitive police officer cannot be allowed to remain in the field that too in-charge of the police station.

13. We further direct the Superintendent of Police, Vaishali at Hajipur to take appropriate action in administrative side against the erring police officials who did not attend the complaint of the petitioner.

14. The State shall pay a cost of Rs.20,000/- to the petitioner within one month. The cost shall be realized from the erring police officials who did not take action on the complaint of the petitioner as a result whereof the corpus Mahima Kumari remained unlawfully confined in her own house as ultimately she could be rescued only after this writ application came to be heard by this Court.

15. This writ application stands allowed.

(Rajeev Ranjan Prasad, J)

(Soni Shrivastava, J)

Trivedi/Arvind-

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