

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.924 of 2026

=====

Ravi Kumar @ Ravi Shankar, Son of Shivshankar Chaudhary, resident of
Diwanganj, P.S.- Mufassil, District -Purnea. Petitioner.

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Superintendent of Police, Purnea, Bihar.
4. The SHO, Mufassil P.S., Purnea, Bihar.
5. The Investigation officer, Mufassil P. case No. 50 of 2026, Mufassil P.S., Purnea, Bihar.
6. Vibha Devi, Wife of Mohan Singh, resident of village- Chanedi Agha Tola, Ward no. 14, P.S.- Mufassil, District- Purnea.
7. Mohan Singh, son of Late Bhola Singh, resident of village- Chandi Agha Tola, Ward no. 14, P.S.- Mufassil, District- Purnea.

... .. Respondents.

=====

Appearance :

For the Petitioner	:	Mr. Md Fazle Karim
For the State	:	Mr. AC to learned A.G.

=====

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

2 29-04-2026 Heard learned counsel for the petitioner and learned
A.C. to learned A.G.

2. The petitioner seeks a Writ in the nature of Habeas Corpus for commanding the State to produce the detenu, namely, Mohan Singh, who is respondent no.7 in this case.

3. On going through the statements made in the writ application, this Court find that the petitioner is the owner of a Hardware Shop, namely, M/s S.S. Enterprises, his father is proprietor of the firm and respondent no.7 used to work there as



a daily wages labourer. Respondent no.7 is said to have dispute with his wife (respondent no.6).

4. It is further found from the statements in the writ application that respondent no.6 has filed a written complaint before the S.H.O. of Muffasil P.S., giving rise to Muffasil P.S. Case No.50 of 2026, under Sections 137(2), 140(3) and 3(5) of the B.N.S. During the investigation, the respondent no.7 has allegedly taken to the police station by the Investigating Officer (I.O.) of the case on 31.03.2026. It is alleged that the I.O. pressurized the respondent no.7 to change his statement threatening him to implicate him in a false case but respondent no.7 did not change his statement. It is stated that in his statement before the learned Magistrate, the respondent no.7 has stated that he was going with the Ravi Kumar (petitioner) on his own will and volition. The allegation is that, despite this stand of respondent no.7 in the PR bond, the I.O. did not handover the respondent no.7 to the petitioner and she acted in connivance with respondent no.6. It is stated that the I.O. handed over respondent no.7 to respondent no.6. Respondent no.6 has earlier made statement that respondent no.7 has some mental illness and such statements have been made in the media.

5. It is further stated that the petitioner has made



representation in this regard before the Superintendent of Police but nothing has been done on his representation. He has also filed a protest petition before the learned C.J.M., Purnea. The petitioner apprehends that the life of the respondent no.7 is in danger at the hands of respondent no.6.

6. Learned counsel for the petitioner has submitted that because the petitioner apprehends his false implication in a case by respondent no.6, after doing some damage to the life of respondent no.7, he has moved this Court.

7. Learned Assistant Counsel to learned Advocate General submits that from the facts present in the writ application itself, it would be evident that there is some matrimonial discord between the respondent no.6 and respondent no.7. This is the statement of the petitioner that respondent no.7 was working at his shop. The matter is sub judice before the learned C.J.M. and it is the case of the petitioner that he has filed a protest petition in the Court. It is submitted that the Writ of Habeas Corpus would not be entertainable in the facts of the present case.

8. Having regard to the entire facts and circumstances of the case and on noticing that the dispute is between the respondent no.6 and respondent no.7, the police case has been



registered at the instance of respondent no.6 and even as the petitioner has claimed in his protest petition (Annexure-P-9) that there is an order of the learned Magistrate to handover respondent no.7 to him but to no such order has been placed before the Court. This Court is of the considered opinion that in this kind of dispute Writ of Habeas Corpus filed is result of ill advice. This application as framed cannot be entertained. It is dismissed with a cost of Rs.5,000/- (Rupees Five Thousand), which would be payable by the petitioner in the account of the Patna High Court Legal Services Committee within a period of two weeks and receipt of the cost shall be filed in the Registry.

(Rajeev Ranjan Prasad, J.)

(Soni Shrivastava, J.)

Trivedi/-

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

