

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1187 of 2026

Arising Out of PS. Case No.-399 Year-2025 Thana- PARSABAZAR District- Patna

Prince Kumar Son of Shambhu Kumar Resident of New Atwarpur, Kurthaur,
Police Station- Parsa Bazar, District- Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Inspector General of Police, Central Range (Patna), Bihar. Bihar
3. The Deputy Inspector General of Police, Central Range (Patna), Bihar. Bihar
4. The Senior Superintendent of Police, Patna, Bihar. Bihar
5. The Superintendent of Police, Patna, Bihar. Bihar
6. The Officer-in-charge, Parsa Bazar Police Station, Patna, Bihar Bihar
7. Kunal Kumar Son of Julius Rai Resident of village- Atwarpur, Police Station- Parsa Bazar, Patna, Bihar.
8. Sona Devi Wife of Kunal Kumar Resident of village- Atwarpur, Police Station- Parsa Bazar, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rahul Kumar Dubey, Advocate Mr. Kumar Prateek, Advocate Mr. Shashi Ranjan Kumar, Advocate Mr. Aman Ashish, Advocate Mr. Sachin Kumar, Advocate
For the State	:	Mr. Abhinav Alok, AC to AAG-13

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

3 18-06-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner in the present case is seeking the
following reliefs:-

"(i) In the nature of Habeas Corpus directing and



commanding the Respondents herein to forthwith produce before this Hon'ble Court the person and body of the Corpus, namely Shilpa Kumari, the lawfully wedded wife of the Petitioner, who is being illegally and unlawfully detained and confined by the Respondents No. 7 to 8 at the paternal residence of the Corpus situated at village- Atwarpur, Police Station- Parsa Bazar, Patna, Bihar.

(ii) Directing the concerned Respondents to extend adequate protection and security to the Petitioner as well as the Corpus against any acts of criminal violence, intimidation or threats to their life and limb at the hands of or at the instance of Respondents No. 7 to 8.

(iii) And/or for such other order or orders, direction or directions, relief or reliefs as this Hon'ble Court may deem just, fit and proper in facts and circumstances of the present case."

3. In course of hearing of the writ application on 15.06.2026, the petitioner claimed that he married with the corpus but the corpus has been kept confined by her parents. Learned counsel further made a statement at the bar that after the parents of the corpus lodged Parsa Bazar P.S. Case No.399 of 2025 against the petitioner, the corpus was recovered and was produced before the learned Magistrate where she made a statement that she had voluntarily and out of her own very will left her house and that she desires to live with the petitioner.

4. Taking note of the submissions of learned counsel



for the petitioner, this Court called upon learned counsel for the petitioner to produce the copy of the statement of the girl and the copy of the order of the learned Magistrate which may have been passed on the date of the production of the girl.

5. This Court also directed the officer in-charge of Parsa Bazar police station to verify the correctness of the statement made by the petitioner by visiting the place of the parents of the corpus in their village and after meeting with the corpus.

6. Today, learned counsel for the petitioner has produced certified copy of the order dated 30.10.2025 passed by the learned Magistrate. On going through the said order, this Court finds that when the victim girl was produced before the learned Magistrate, she expressed her desire to go with her mother. In the margin portion of the order-sheet, she had recorded in her own pen that she was going with her mother on her own will and volition.

7. The officer in-charge of Parsa Bazar police station has also submitted a letter addressed to the Assistant Registrar of this Court wherein he has stated that he met the victim/corpus on 16.06.2026 in her house at village-Aitwarpur. She made a statement that she was happily living with her marriage. In her



written information submitted to the officer in-charge, she has stated that she has no pressure from her parents and she wants to get married with the consent of her parents.

8. In the kind of the materials which have surfaced before this Court, we find that the statement made by learned counsel for the petitioner on 15.06.2026 that the corpus had voluntarily and out of her own very will left her house and she desired to live with the petitioner was not a correct statement of fact. Once it is found that the victim/corpus is living with her parents on her own will and volition, a writ of habeas corpus cannot be entertained. In fact, in the opinion of this Court, filing of the writ application is ill-advised.

9. This writ application is dismissed.

(Rajeev Ranjan Prasad, J)

(Kumar Manish, J)

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