

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1282 of 2026

=====

Golu Kumar, S/o Shashi Bhushan Prasad, Resident of South Mandiri,
Nagpanch Mandir, P.S - Buddha Colony, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Superintendent of Police, Distt.- Patna
4. The Officer-in-Charge, Gaurichak Police Station, Distt.- Patna
5. Rani Kumari, W/o Golu Kumar Presently residing at Sogi Bagicha, near Lalan Ji, Nagar Parishad, Ward no. 20, Sampatchak, P.S.- Gaurichak, Distt.- Patna.
6. Anil Prasad Verma, S/o Not known Residing at Sogi Bagicha, near Lalan Ji, Nagar Parishad, Ward no. 20, Sampatchak, P.S.- Gaurichak, Distt.- Patna.
7. Rahul S/o Anil Prasad Verma, Residing at Sogi Bagicha, near Lalan Ji, Nagar Parishad, ward no. 20, Sampatchak, P.S.- Gaurichak, Distt.- Patna.

... .. Respondents

=====

Appearance :

For the Petitioner	:	Mr. Saket Tiwary, Advocate Mr. Anuraj Singh, Advocate
For the State	:	Mr. Sunil Kumar Mandal, SC-3 Ms. Neelam Kumari, AC to SC-3 Ms. Priya Gupta, AC to AG
For the Resp Nos. 5, 6 and 7	:	Mr. Lokesh Kumar, AC to AG Mr. Kalpana Singh, Advocate

=====

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

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

4 02-07-2026 This writ application has been preferred seeking the following reliefs:-

“i) For issuance of a writ in the nature of Habeas Corpus commanding the respondent authorities to immediately trace, secure and produce the detainee Respondent No. 5 namely Rani Kumari before this Hon’ble Court who is under illegal confinement and unlawful restraint of



Respondent Nos. 6 and 7 and upon such production to permit this Hon'ble Court to ascertain her free and independent wishes in an atmosphere free from pressure, coercion and influence.

ii) For issuance of a direction to the Respondent Nos. 1 to 4 to ensure protection of life and liberty of the petitioner and Respondent No. 5.

iii) For issuance of an appropriate writ, order or direction restraining Respondent Nos. 6 and 7 from interfering with the liberty, movement and matrimonial life of the petitioner and Respondent No. 5.

iv) For issuance of appropriate direction commanding the respondent authorities to ensure that no Cheka, Tilak, engagement, marriage or any other matrimonial ceremony concerning Respondent No. 5 is performed during pendency of the present writ petition without her free and voluntary consent.

v) For issuance of a direction commanding Respondent Nos. 3 and 4 to forthwith secure the presence of Respondent No. 5 and submit an Action Taken Report before this Hon'ble Court.

vi) For grant of any other relief or reliefs for which the petitioner may be found entitled in the facts and circumstances of the present case.”

2. It is the case of the petitioner that he has married to Rani Kumari (respondent no. 5), both of them are adults and they want to live together but because of the displeasure and opposition to the marriage by the father and mother of



respondent no. 5, he is unable to get access to his wife. This Court was given to understand that respondent no. 5 has been confined and the mobile phone of respondent no. 5 had been taken away so she was unable to communicate freely with the petitioner.

3. When the matter was listed on 25.06.2026, this Court passed the following order:-

“The Officer-in-Charge of Gaurichak Police Station, District-Patna shall personally meet the lady Rani Kumari (respondent no.5) in her house and find out the actual position as to whether she had been kept under confinement by her parents or that she is living with her parents with her own will and volition.

2. We would further say that the Officer-in-Charge of Gaurichak Police Station shall conduct this verification work by keeping the things simple and not to use its police vehicle or the force in course of verification.

3. Let a report be submitted to this Court by 30th June, 2026.

4. Mr. Sunil Kumar Mandal, learned counsel for the State, shall inform this to the Officer-in-Charge of the Gaurichak Police Station.

5. List this matter under the same heading maintaining its position on 30th June, 2026.”

4. On 01.07.2026, this Court noticed that complete information with regard to the statement of respondent no. 5 had



not been made available, therefore, the Court passed an order to produce the corpus so that the court may interact in presence of learned counsel for the petitioner and learned counsel for the State.

The order dated 01.07.2026 states as under:-

**In Chamber
at 2:15 PM**

“In the morning session, when the matter was taken up for consideration, this Court was not given complete information, therefore, this Court requested learned SC-3 to get the corpus produced in Chambers at 02:15 PM.

2. The corpus has been produced and this Court has interacted with her in presence of learned counsel for the petitioner and learned counsel for the State. The corpus had earlier given a written statement to the S.I. of Gaurichak Police Station which was kept in a sealed envelope, the same has been opened. On opening of the sealed envelope, it is found that the corpus admits her marriage with the petitioner. According to her, she had married the petitioner on the condition that his family would accept her but the parents of the petitioner were not agreeing to keep her in their house and family. She is willing to live with the petitioner but only with the consent of his family members, she would stay in his house.

3. At this stage, learned counsel for the petitioner informs that the petitioner is also present in person outside the Chambers, therefore, we called upon him for interaction. The petitioner has been identified by his counsel and we have interacted with him. The



petitioner submits that his parents are willing to accept the corpus and they would keep her with all safety and security.

4. Let this matter be listed tomorrow i.e. on 02.07.2026 in Chambers at 02:15 PM.

5. The petitioner has assured that he will be present with his parents tomorrow i.e. on 02.07.2026 in Chambers at 02:15 PM.

6. The Officer Incharge of Gaurichak Police Station shall inform the parents of the corpus and ask them to be present in the Chambers at the same time.

7. List accordingly.”

5. Today, besides the learned counsel for the parties, the petitioner, his parents, namely, Shashi Bhushan Prasad and Anita Devi, respondent no. 5 and her parents, namely, Anil Prasad Verma and Kiran Devi are present in Chambers.

6. Ms. Kalpana Singh, learned Advocate (Enrollment No. 1910 of 2025) undertakes to file the *vakalatnama* on behalf of respondent nos. 5 and 6. She is present in Chambers.

7. In presence of all, respondent no. 5 has once again stated that she wants to live with the petitioner. Her parents have some apprehension with regard to her safety and security and they want that this Court should ensure that respondent no. 5 may live with the family of the petitioner in safe family environment.

8. The petitioner and his parents are ready to furnish



undertakings. Mr. Anuraj Singh, learned counsel representing the petitioner submits that he will be filing the undertakings in form of affidavits of the petitioner and his parents in course of the day which will be taken on the record.

Before the order is signed, the affidavits have been filed.

This Court has perused the same.

9. In the aforesaid view of the matter, this Court sets a-free respondent no. 5 to go as per her desire and live her life according to her wishes. The undertakings in form of affidavits of the petitioner and his parents shall ensure that respondent no. 5 shall be allowed a happy stay in the family of the petitioner and that she would be kept with all respect and dignity.

10. This Court grants liberty to respondent nos. 5 and her parents, namely, Anil Prasad Verma and Kiran Devi to make a short application before this Court in this very case by way of an interlocutory application, if any breach of undertaking takes place. In such case, on filing of the interlocutory application in this case, the same will be listed immediately before this Court.

11. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Kumar Manish, J)

SUSHMA2/-

U			
---	--	--	--

