

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2377 of 2025

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Mukesh Kumar Karn S/o Sri Sushil Kumar Karn Resident of Village - Thadbitia, Police Station- Ghoghardiha, District- Madhubani Presently residing at- Flat No. AP 203, Radheshyam Apartment Lohiyapath, Jagdeo Path, Police Station - Sastri Nagar, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar, Through Chief Secretary, Government of Bihar
2. The District Magistrate, Samastipur
3. The Director General of Police, Government of Bihar
4. The Superintendent of Police, Samastipur.
5. Shri Subodh Kumar Das Son of Late Mungalal Das Resident of Mohalla Gayatri Nagar, Rosera, Ward Number- 7, Police Station- Samastipur
6. Smt. Mina Kumari W/o Shri Subodh Kumar Das Resident of Mohalla Gayatri Nagar, Rosera, Ward Number- 7, Police Station- Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Akanksha Malviya, Advocate Mr. Akash Keshav, Advocate Mr. Anuj Kumar Shrivastav, Advocate Ms. Naina Nancy, Advocate
For the Respondents	:	Mr. P.N. Sharma, AC to AG

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

3 16-02-2026 Heard learned counsel for the parties.

2. Following reliefs are sought for in the present application:

“I. For issuance of an appropriate writ in the nature of Habeas Corpus or any other appropriate writ(s), or order(s) or direction(s) commanding the respondents to immediately produce before this Hon’ble



Court the Corpus of Master Abhyuday Karn, Aged about -7 years, Son of Mukesh Kumar Karn, who is in illegally custody of Respondent No. 5 and 6.

II. For issuance of an appropriate writ in the nature of Mandamus or any other appropriate writ(s), or order(s) or direction(s) commanding the private respondents to hand over the custody of the minor child to the present petitioner who is the father and the only natural guardian of the corpus and the private authorities have kept the child without any authority of law.

III. For issuance of an appropriate writ in the nature of Mandamus or any other appropriate writ(s), or order(s) or direction(s) commanding the Respondents, particularly Respondent Nos. 1 to 4 (State Authorities), to ensure well-being and safety of the corpus and to provide all necessary assistance to ensure the immediate production of the corpus.

3. It has been brought to our notice that in respect to the custody of the minor child, a Guardianship Case No. 05 of 2019 is pending before the Additional Principal Judge, Family Court, Patna.

4. In view of the aforesaid given facts, the petitioner



is permitted to pursue the matter before the Additional Principal Judge, Family Court, Patna and hence the present application stands disposed of.

5. It goes without saying that the learned Trial court will try to dispose of the abovementioned case i.e. Guardianship Case No. 05 of 2019 as early as possible without giving unwanted adjournments.

6. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, J)

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(Rajesh Kumar Verma, J)

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