

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2679 of 2025

=====

Renu Devi, W/o Surendra Prasad Kesari, R/o Village- Bandhugfanj, P.S.- Ghosi, District- Jehanabad

... .. Petitioner/s

Versus

1. The Director General of Police, Bihar, Patna
2. The Addl. Secretary, Deptt. of Home Affairs, Govt. of Bihar, Patna
3. The Superintendent of Police (SP), Jehanabad
4. The Deputy Superintendent of Police (DSP), Jehanabad
5. The Station House Officer, Ghosi P.S., Jehanabad

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate
For the Respondent/s : Mr. Amish Kumar, AC to AG

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

4 10-03-2026 Heard learned counsel for the parties.

2. The petitioner has preferred the present writ application for the following relief :

"For issuance of a writ in the nature of Habeas Corpus or any other appropriate writ/ writs, order/orders, direction/ directions, command/ commands for commanding the respondents to recover the son of the petitioner, namely, Pramod Kumar."

3. From perusal of the records, it appears that two FIRs have been instituted in respect of the alleged incident i.e.



Okri P.S. Case No. 498 of 2025, instituted by the father of the victim girl, and Ghoshi P.S. Case No. 562 of 2025, instituted by the petitioner (mother of the victim boy), and it is a case of eloping.

4. Considering the facts and circumstances of the case, the petitioner is granted liberty to avail the appropriate statutory remedy by filing an application before the District Magistrate, Jehanabad under Section 100 of Bharatiya Nagarik Suraksha Sanhita, 2023, which reads as follows:-

“100. If any District Magistrate, Sub-divisional Magistrate or Magistrate of the first class has reason to believe that any person is confined under such circumstances that the confinement amounts to an offence, he may issue a search-warrant, and the person to whom such warrant is directed may search for the person so confined; and such search shall be made in accordance therewith, and the person, if found, shall be immediately taken before a Magistrate, who shall make such order as in the circumstances of the case seems proper.”

5. In case any such application is made before the District Magistrate, Jehanabad, he shall take appropriate action in accordance with law, redressing the grievance of the



petitioner.

6. With the aforesaid liberty, the present writ application stands disposed of.

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

(Sudhir Singh, J)

(Sunil Dutta Mishra, J)

Rajesh/-

U			
---	--	--	--

