

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2859 of 2025

Arising Out of PS. Case No.-647 Year-2025 Thana- SIKARPUR District- West Champaran

Salahuddin Ansari @ Md. Salahuddin, aged about 30 years, Gender-Male,
S/O Shamsuddin R/O Village- Bairiya Mangrahri Barwa Barauli, P.S-
Shikarpur, Distt.- West Champaran (Bettiah), State- Bihar- 845451.

... .. Petitioner

Versus

1. The State of Bihar, through the Director General of Police, Bihar, Patna.
2. The Additional Director General (ADG), Weaker Section, In-Charge, Anti-Human Trafficking Unit Government of Bihar.
3. The Superintendent of Police, West Champaran at Bettiah.
4. The Deputy- Superintendent of Police, Bettiah, Distt.- West Champaran.
5. The S.H.O. of Shikarpur Police Station, Distt.- West Champaran (Bettiah).
6. The Investigating officer of Shikarpur Police Station Case No.- 647/2025, Distt.- West Champaran (Bettiah), Bihar.
7. Sanjay Kumar Verma, aged about 38 years, Gender-Male, S/O Late Ajay Verma, R/O Village- Ghughraha Belwa, P.S- Sanachari, Distt.- West Champaran (Bettiah), Bihar.
8. Ajay Chaudhary, aged about 35 years, Gender-Male, S/O Madam Mahto R/O Village- Mangrahari Bairiya, P.S- Shikarpur, Distt.- West Champaran (Bettiah), Bihar.
9. Seema Khatoon, aged about 35 years, Gender-Female, W/O Tajmullah Ansari, R/O Village- Mangrahari Bairiya, P.S- Shikarpur, Distt.- West Champaran (Bettiah), Bihar.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Jitendra Kumar, Advocate
For the State	:	Mr. Prabhu Narayan Sharma, A.C. to A.G.

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



(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

4 25-02-2026 Heard learned counsel for the petitioner and
learned counsel for the State.

2. The following reliefs have been sought for by
the petitioner in the present criminal writ application:

1(a) For issuance of a direction, order or writ, including writ in the nature of Habeas Corpus, directing the respondent authorities, specially the Respondent Nos. 2 to 6, to recover the petitioner's 7 years minor son (corpus) from illegal custody of the person (s)/private respondent nos. 7 to 9 (accused in Shikarpur P.S. Case No. 647 of 2025), and to hand over the custody of the 7 years minor victim boy (corpus) to the petitioner/legal guardian.

(b) For issuance of a direction, order or writ, including writ in the nature of Mandamus, directing the Respondent authorities, to handover the investigation of Shikarpur P.S. Case No. 647 of 2025 concerning the missing minor boy namely Fiyaz Alam, to the Criminal Investigation Department (CID), Bihar, or any other competent investigating agency, to ensure an independent, impartial, investigation



into the circumstances leading to the minor's illegal custody, recovery, and protection and to ensure fair, proper, and expeditious investigation in accordance with law.

(c) For Issuance of a direction, order or writ, including writ in the nature of Mandamus, directing and Commanding the respondents to take Disciplinary action against the officer, who at the relevant point of time failed to act in accordance with the law and had not taken any action to find the Minor victim Child and to initiate criminal action against the culprits.

(d) For any other relief/reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.

3. A supplementary counter affidavit has been filed on behalf of the respondent nos. 2 and 3 and in paragraph nos. 13 and 14 of the same the following statements have been made:-

“13. That in order to recover the missing child of petitioner, several steps have been taken by the respondent authorities:-



A. It is submitted that immediately upon the receipt of information of missing child, intensive search operation was carried out by the police for continuous 3 days in village- Mangarahi and Bariya. Apart from it, inquiries were also made from family members and villagers with regard to missing child.

B. It is submitted that help of dog squad was also taken in carrying out search at the place of occurrence and in the nearby village area.

C. It is submitted that senior police officers are regularly monitoring and giving directions for recovery of missing child of petitioner by holding camp.

D. Necessary information was sent to all police stations on 25.06.2025, with regard to missing child.

E. Photographs/posters regarding the missing child were pasted around the local railway station Narkatiaganj and Bettiah Railway Station, Bus Stand and other public places/hospitals.

F. After the incident, the mobile details of the suspects and the Dump data near the incident site were also extracted and analysed but no evidence could be found.



G. Information/advertisement has been circulated on social media to reward the person giving information regarding the missing child with Rs. 10,000/- (Ten Thousand).

H. Respondent No. 3, the Superintendent of Police, West Champaran, Bettiah sent the photograph of the missing child to the Criminal Investigation Department, Bihar, Patna, for publication of details of the child in CIG vide Letter No. 1123/D.C.B. dated 13.10.2025. All Superintendents of Police of Bihar were also requested by the Superintendent of Police, West, Champaran, Bettiah to direct the State House Officers in their respective districts to trace out the missing boy.

I. The Superintendent of Police, West Champaran, Bettiah, requested the Director, Information and public Relations Department, Bihar, Patna, for publication of details of the kidnapped child Faizan Alam in electronic media/newspapers vide his office letter no. 1264/D.C.B. dated 21.11.2025.

J. The details of the missing child Faizan have been uploaded on “Mission Vatsalya” Portal, whose Missing ID is



2025100107M5201763725845.

K. It is noteworthy that the Superintendent of Police, West Champaran, Bettiah, constituted SIT headed by the Sub-Divisional Police Officer, Narkatiaganj, and deputed police officers/personnel to recover the missing/kidnapped child, Faizan Alam vide his Office Memo No. 3811/C.R., dated 03.11.2025. The SIT is continuously making efforts to recover the child.

14. That the following instructions have been given to the I.O. and the Supervising authorities for further investigation after review:-

1. SOP issued by the Ministry of Women and Child Welfare, Govt. of India on 23.11.16, the SOP issued by the Crime Investigation and Weaker Sections Division vide Letter No. 360/SJPU dated 10.04.2014 and the Standard Operating Procedure prescribed in Rule 92 of the Bihar JJ (Care & Protection of Children) Rule, 2017 regarding kidnapped/missing girls should be strictly followed. In the course of investigation, strict compliance should be ensured on the remaining points of the above SOPs in the compliance done



so far.

II. This case was reported almost seven and half months ago, but the investigation of this case has yet not been transferred to the AHTU. As per SOP of missing children, it is mandatory to transfer the case to the district AHTU, if the child couldn't be recovered after a period of four months from the date of registration of the F.I.R. Transfer the case to the district AHTU immediately for better and expertise investigation.

III. It is quite apparent from review that the Superintendent of Police, west Champaran, Bettiah requested the Director, Information and Public Relations Department, Bihar, Patna for publication of details of the kidnapped child Faizan Alam in electronic media/newspaper for his recovery vide his Office Letter No. 1264/D.C.B. dated 21.11.2025 but, it is not clear from the case diary that any publication or transmission was actually done on the said request letter or not. Obtain the record of relevant publications and transmissions which were done on such request and mention it in case diary.



IV. The activity of the user of the suspicious mobile number found from CDR and data dump analysis and his involvement in the case should be investigated deeply. It is mentioned in case diary that one call was found recorded from the one of the suspect Seema Khatoon from her mobile no. 9341630356 to the mobile no. 8779824587 of some Ezajul Ansari, immediately after the incident, but it was not further analysed. Analyse this call thoroughly and ascertain the complicity of Ezazul Ansari in this case. It can be a lead to investigation.

V. The evidences/exhibits collected so far during the course of investigation of this case should be analysed afresh.

VI. The witnesses/suspects (Sanjay Kumar Verma, Ajay Chaudhary and Seema Khatoon) of the case should be interrogated afresh in deptch/re-examined, If there is any point of inquiry/investigation or interrogation of any of the suspects pending, it should be ensured quickly.

VII. Find out the CCTV Cameras installed near mosque and other nearby locations



and ways going out of the village and obtaining footage of concerned period of those CCTV cameras, analyse the same to trace out the missing/kidnapped body.

VIII. Also obtain the CCTV footage from important railway stations like Narkatiaganj and Bettiah and bus stops of the district for the concerned period and analyse them.

IX. Obtain the AADHAR No. of the missing/kidnapped child and call for a report from UIDAI authorities about the use of the same after missing of child.

X. Work done by the SIT constituted for the recovery of missing/kidnapped child be reviewed regularly by the Superintendent of Police, west Champaran, Bettiah.

XI. Every possible effort and action should be taken for the recovery of the kidnapped/missing child Faizan Alam in this case.

XII. The Superintendent of Police, west Champaran, Bettiah will ensure the compliance on other pending instructions in addition to the instructions given above and will provide the compliance report and progress of investigation fortnightly



on the email igweaker-bih@nic.in.”

4. Considering the statements referred hereinabove, it appears that an F.I.R. has been instituted and investigation is going on.

5. The petitioner, if so advised, shall be at liberty to avail the appropriate statutory remedy by filing an application under Section 100 of the BNSS, 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.”

6. With the aforesaid liberty, the present



criminal writ application stands disposed of.

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

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

U.K./-

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