

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2449 of 2024

Arising Out of PS. Case No.-350 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Damini Kumari @ Pinki Pandey Wife of Sri Atmanand Pandey, Daughter of
Late Bhagwan Tripathi Bahabua ward no.12, P.S.- Bhabua District- Kaimur
... .. Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Bihar Patna
 2. The Director General of Police, Bihar, Patna
 3. The Deputy Inspector General of Police, Shahabad Range, Dehari, Rohtas Bihar
 4. The Superintendent of Police, Kaimur at Bhabua Bihar
 5. The Sub-Divisional Police Officer, Bhabua, District. Kaimur at Bhabua Bihar
 6. The Officer in Charge, Bhabua Police Station, Kaimur at Bhabua. Bihar
- Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate
For the Respondent/s : Mr. P.K. Shahi, A.G.

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

15 18-02-2026 Following is the relief sought for in the present writ
application:-

*“1. That this writ application is being
filed for issuance of writ of Habeas Corpus directing
the Respondent authorities to recover and produce
the minor daughter of the petitioner who is traceless
since May 2024. And/Or*

*Pass such other order/orders as your
Lordships may deem fit and proper in the facts and
circumstances of the case.”*

2. Considering the facts of the case and the materials
available on record, the petitioner is granted liberty to avail the



appropriate statutory remedy by filing an application under Section 101 of Bharatiya Nagarik Suraksha Sanhita, 2023, which reads as follows:-

“101. Power to compel restoration of abducted females.- Upon complaint made on oath of the abduction or unlawful detention of a woman, or a female child for any unlawful purpose, a District Magistrate, Sub-divisional Magistrate or Magistrate of the first class may make an order for the immediate restoration of such woman to her liberty, or of such female child to her parent, guardian or other person having the lawful charge of such child, and may compel compliance with such order, using such force as may be necessary.”

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

4. It is clarified that this Court has not expressed any opinion on the merits of this case.

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

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

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