

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2182 of 2024

Arising Out of PS. Case No.-462 Year-2023 Thana- DHAKA District- East Champaran

Satyam Kumar S/o- Om Prakash Sah Resident of Village- Parash PS- Dhaka
District-East Champaran Petitioner/s

Versus

1. The State of Bihar through the Home Secretary cum Home Commissioner Old Secretariat, Bihar, Patna Bihar
2. The DGP Old Secretariat, Bihar, Patna Bihar
3. The I.G Muzaffarpur, Bihar, Patna Bihar
4. The Superintendent of Police, Shivhar, Bihar, Patna Bihar
5. The Officer Incharge, Piprahi, Shivhar Bihar
6. Smt. Kajal Kumari (Giri) W/o- Satyam Kumar Village- Parash Ps- Dhaka Dist- East Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Uma Shanker Verma, Advocate
Mrs. Kumari Anjali, Advocate
For the State : Mr. Prabhu Narayan Sharma, AC to AG

CORAM: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI)

Date : 27-01-2025

Heard Mr. Uma Shanker Verma, learned counsel for the petitioner assisted by Mrs. Kumari Anjali and Mr. Prabhu Narayan Sharma, learned counsel for the Respondent-State.

2. Learned counsel for the petitioner Mr. Uma Shanker Verma, at the outset, submitted that the concerned Magistrate passed an order on 01.07.2024 in which the birth-date of the victim was shown as 01.01.2007 and by considering the said age, the learned Magistrate sent the victim, who is wife of the petitioner, to the remand home at Shivhar. The said order was passed on 01.07.2024. It is further submitted that, in



the said order itself, it has been specifically observed that she is sent to remand home till she attains the age of majority i.e. 18 years of age. It is further contended now that the victim, who is the wife of the petitioner, has attained the age of majority i.e. she has completed 18 years of age. Learned counsel, therefore, urged that he wants to withdraw the present petition with a view to file an application before the concerned Magistrate/ remand home/ investigating agency so that the wife of the petitioner (corpus)/ victim can be sent back from remand home.

3. In view of the aforesaid submission, learned counsel for the petitioner is permitted to withdraw the present petition with a view to file an appropriate application before the concerned Magistrate and/or remand home.

4. Permission, as prayed for, is granted.

5. The petition stands disposed of as withdrawn.

6. It is further observed that we have not examined the merits of the case of the petitioner.

(Vipul M. Pancholi, J)

(Alok Kumar Pandey, J)

Sachin/-

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