

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Writ Petition (Cr.) (HB) (DB) No. 314 of 2026

... .. **Petitioner**

Versus

- 1.The State of Jharkhand through its Principal Secretary, Department of Home, Jail and Disaster Management, P.O. & P.S.-Dhurwa, District-Ranchi, Jharkhand.
- 2.The Director General of Police, Project Bhawan, P.O. & P.S. Dhurwa, District-Ranchi, Jharkhand.
- 3.The Superintendent of Police, Bokaro, P.O. & P.S. Sector-2, District-Bokaro, Jharkhand.
- 4.The Officer-in-Charge, Pindrajora Police Station, P.O.-Sardaha, P.S.-Pindrajora, District-Bokaro, Jharkhand.
- 5.The ADG, Criminal Investigation Department (CID), Government of Jharkhand.
- 6.The Director, Central Bureau of Investigation (CBI), Union of India.

... .. **Respondents**

CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner	: Mr. Vincent Rohit Marki, Advocate
For the State	: Mr. Rohitashya Roy, A.G Mr. Vibhor Mayank, AC to AG
For the CBI	: Mr. Prashant Pallav, ASGI Ms. Shivani Jaluka, AC to ASGI

Order No. 12: Dated 25th August, 2026

Per Sujit Narayan Prasad, J:

1. The instant writ petition has been filed under Article 226 of the Constitution of India for the following reliefs:

“A.Issuance writ in the nature of Habeas Corpus directing the respondents to immediately trace, recover and produce the detenu/missing before this Hon'ble Court;

B. Issuance of rule nisi calling upon the respondents to show cause as to why appropriate action should not be taken

against erring officials for gross negligence in the investigation and escape of the accused from police custody;

C. Direction upon the respondents to conduct a fair, impartial and expeditious investigation, preferably by a senior police officer or Special Investigation Team;

D. Issue any other appropriate writ(s), order(s) and direction(s) that Your Lordships may deem fit in the facts and circumstances of the case.”

Factual Matrix

2. The material facts, as set forth in the writ petition, are delineated hereinbelow:

3. The petitioner, being the mother of the missing girl, has invoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India by filing the present petition seeking issuance of a writ of habeas corpus for recovery and production of her daughter.

4. It is averred that the corpus, i.e., the petitioner's daughter, has been missing since 16.10.2020 under mysterious circumstances.

5. The case of the petitioner is that on 16.10.2020, at about 10:45 A.M., the corpus left her residence to attend tuition classes but failed to return thereafter and has remained untraceable.

6. At about 11:15 A.M. on the same day, a co-villager informed the father of the corpus that a ladies' bicycle,

together with a pair of slippers and notebooks, was found lying scattered on the road leading towards Kurma Hospital. Upon reaching the spot, the father identified the said articles as belonging to his daughter, thereby raising grave apprehension regarding her safety and well-being.

7. Being deeply concerned, the petitioner along with her husband, _____, approached Pindrajora Police Station. The petitioner's husband lodged a First Information Report, being F.I.R. No. 161 of 2020 dated 16.10.2020, reporting the disappearance of his daughter and seeking immediate police intervention for her tracing and recovery.

8. The grievance of the petitioner is that despite the lapse of more than five and a half years from the date of lodging of the FIR, the respondents have failed to trace out and recover the detenu, thereby infringing her fundamental rights guaranteed under Article 21 of the Constitution of India.

9. It is further asserted that the petitioner continued to pursue the matter diligently before the local police authorities with the *bona fide* belief that they would trace and recover her missing daughter, but no fruitful outcome ensued.

10. The petitioner states that recently, upon learning of another case [W.P.(Cr.) (H.B.) (D.B.) No. 165 of 2026] concerning a missing girl, _____, from the jurisdiction of the same police station, she became aware of

the remedy of filing a habeas corpus petition before this Court. Thereafter, without delay, she instituted the present writ petition.

11. The petitioner has repeatedly approached various authorities, including the Superintendent of Police, Bokaro, and the Officer-in-Charge, Pindrajora Police Station, through written applications on several occasions, but no effective result has followed.

12. It is further stated that in her continued pursuit for justice and recovery of her daughter, the petitioner has also submitted representations to the President of India, the Chief Minister of Jharkhand, and the Governor of Jharkhand, highlighting the inaction and apathy of the local authorities. Yet, despite such earnest efforts, no concrete steps have been taken to trace and recover the corpus.

13. The petitioner has a strong and *bona fide* apprehension that the corpus is under illegal and unlawful confinement of unknown persons, and that her life, liberty, and personal safety are under grave and imminent threat.

14. In view of the foregoing facts and circumstances, the present writ petition has been instituted seeking recovery and production of the petitioner's missing daughter (corpus) through issuance of an appropriate writ of *Habeas Corpus*.

15. From the aforesaid factual aspect, it is evident that the petitioner, mother of the missing girl, has invoked the

extraordinary jurisdiction of this Court under Article 226 of the Constitution of India by filing the present writ petition seeking issuance of a writ of *Habeas Corpus* for recovery and production of her daughter. It is averred that the corpus has been missing since 16.10.2020 under mysterious circumstances. On that date, at about 10:45 A.M., she left her residence to attend tuition classes but did not return. Shortly thereafter, a co-villager informed the father that a ladies' bicycle, slippers, and notebooks were found lying scattered on the road towards Kurma Hospital. The father identified these articles as belonging to his daughter, thereby raising grave apprehension regarding her safety.

16. Deeply concerned, the petitioner and her husband approached Pindrajora Police Station, where F.I.R. No. 161 of 2020 was lodged on 16.10.2020, reporting the disappearance and seeking immediate police intervention. Despite the lapse of more than five and a half years, the respondents have failed to trace or recover the detenu, thereby infringing her fundamental rights under Article 21 of the Constitution. The petitioner continued to pursue the matter diligently before the local police authorities with the *bona fide* belief that they would act, but no fruitful outcome ensued. Recently, upon learning of another habeas corpus petition [W.P.(Cr.) (H.B.) (D.B.) No. 165 of 2026] concerning a missing girl from the same police station jurisdiction, the petitioner became aware

of this remedy and promptly instituted the present writ petition.

17. It is the case of the petitioner that the petitioner has repeatedly approached the Superintendent of Police, Bokaro, and the Officer-in-Charge, Pindrajora Police Station, through written applications, but no effective result followed. The petitioner entertains a strong and *bona fide* apprehension that her daughter is under illegal and unlawful confinement of unknown persons, and that her life, liberty, and personal safety are under grave and imminent threat. In these circumstances, the present writ petition has been filed seeking recovery and production of the missing corpus through issuance of an appropriate writ of *Habeas Corpus*.

Previous Orders of this Court

18. After filing of the instant writ petition, the matter was taken up on 12th May, 2026.

19. Learned counsel appearing for the petitioner has submitted that the victim girl, who was aged about 14 years, is missing since 16.10.2020 and immediately thereafter, FIR was lodged in Pindrajora Police Station, Bokaro.

20. In course of hearing, learned counsel for the respondents-State apprised this Court that the investigation of the matter has already been handed over to C.I.D on 20.04.2026.

21. This Court, considering the aforesaid submission, directed the State to file affidavit and called for the entire record of investigation including the case diary.

22. Further direction was issued to implead, A.D.G., CID, as party-respondents and the matter was adjourned to be listed on 15.05.2026. For ready reference the order dated 12.05.2026 is being quoted herein which reads as under:

“Order No. 02/Dated 12th May, 2026

1. Mr. Vincent Rohit Marki, learned counsel representing the writ petitioner, has submitted by referring the nature of the defects that the same may be ignored taking into consideration that the pages of which the typed copy has been sought for, are legible.

2. This Court, in order to consider the said argument, has gone through the concerned pages said to be not legible and found that the pages are legible.

3. Considering the same, the defects are hereby ignored.

4. Office is directed to institute the case.

5. With the consent of the parties, the matter has been heard on merit considering the nature of relief sought for which is with respect to the issue of recovery of the victim girl.

6. It has been submitted by the learned counsel appearing for the petitioner that the victim aged about 14 years is missing from 16.10.2020 and immediately thereafter, F.I.R. has been lodged in Pindrajora Police Station, Bokaro.

7. Mr. Mrinal Kanti Roy, learned counsel appearing on behalf of the respondents has submitted that the investigation has now been handed over to C.I.D. on 20.04.2026.

8. This Court, considering the aforesaid submission, is hereby calling upon the State to file affidavit and produce

the entire record of investigation including the case diary on the next date of hearing.

9. Let the C.I.D. through the A.D.G. be impleaded as party.

10. Learned counsel for the petitioner is directed to make necessary addition in the arrays of the respondents in course of the day.

11. List on 15.05.2026.

12. In the meantime, the photocopy of the case record from the court concerned be called for.

13. Let this order be communicated to the learned Principal District & Sessions Judge, Bokaro forthwith.

23. Accordingly, the matter was taken up on 15th May, 2026.

24. Pursuant to order dated 12th May, 2026 counter affidavit was filed in which reference of Narco analysis Test of the suspected persons has been mentioned.

25. This Court has gone through the record of the case, which was being called from the concerned court wherefrom it is evident that vide order dated 21.09.2022, the concerned court has taken note of the fact that the investigating officer of the case had prayed for Narco Test of the suspects namely,

1. Janta Turi S/o Late Dilip Turi R/o Kurma P.S.- Pindrajora District- Bokaro, 2. Rahmali Ansari S/o Asar Ali Ansari R/o Kurma P.S.- Pindrajora DistrictBokaro, 3. Ramnarayan Hembram S/o Late Nand Lal Manjhi R/o Kurma P.S.- Pindrajora District- Bokaro, 4. Ganeshlal Mishra S/o Late Anant Kumar Mishra R/o Gandhajore P.S. Chas District Bokaro. All the above-named persons were present in Court

and voluntarily filed their written consent to undergo the Narco-Analysis Test. The prayer so made by the Investigating Officer was accordingly allowed, with a direction upon the Investigating Officer to submit the report of the Narco-Analysis Test along with the case diary.

26. This Court has carefully examined the record and finds that the Narco-Analysis Test of the accused Janta Turi, Ramnarayan Hembram, and Ganeshlal Mishra was conducted on different dates, i.e. on 19.01.2023, 17.01.2023, and 17.01.2023 respectively. However, the Narco-Analysis Test of the accused Rahmali Ansari could not be conducted owing to his medical unfitness, as he was found not fit to undergo the said examination.

27. The Court had posed a question as to why the *narco analysis* test of Rahmali Ansari has not been conducted only on the ground of medical unfitness even though there was no report to that effect by any of the hospital or doctor.

28. This Court has also made reference, based upon the supervision note as mentioned at paragraph 137 of the case diary, that the victim girl has been said to be kidnapped. The aforesaid fact has been substantiated in the course of investigation, wherein it has been recorded that at about 11:15 a.m., one person informed the informant that a ladies' cycle, a slipper (chappal), and certain books (copy-kitab) were found scattered on the main road, at a distance of about 100

metres near the Hospital, on the road leading towards Kurma.

29. This Court has also observed that the issue of tracing out the minor girl has been raised in the present petition in the pretext of the fact that even after lapse of more than 5 and ½ years there was no progress in the investigation on the issue of clue of the missing girl.

30. Learned counsel for the State, however, sought for three weeks' time with the hope and trust that the CID will proceed in the right direction.

31. This Court, considering the submissions advanced on behalf of parties, had observed that, if no fruitful result emerges, it shall consider taking recourse to the assistance of a Central Agency, so that the State Police and the CID may work in tandem under the aid and supervision of such Central Agency.

32. Accordingly, the matter was adjourned to be listed on 8th June, 2026. For ready reference the order dated 15.05.2026 is being quoted herein which reads as under:

“1. Reference may be made to the order dated 12th May, 2026 in which, after apprising that the investigation has been handed over to the CID, this Court had impleaded the C.I.D. through A.D.G. as party to the proceeding, also the copy of the case record from the court concerned has been called for and the State has also been directed to file affidavit. 2. Further direction was made to produce entire record of

investigation including the case diary on the next date of hearing. For ready reference, the said order has been referred herein below which reads as: “-----

3. The counter affidavit has been filed in which reference of the Narco Test has been referred, but the copy of the Narco Test has not been appended.

4. This Court has gone through the record of the case, which was being called from the concerned court wherefrom it is evident from the order dated 21.09.2022 that the investigating officer of the case had prayed for Narco Test of the accused namely, 1. Janta Turi S/o Late Dilip Turi R/o Kurma P.S.- Pindrajora District-Bokaro, 2. Rahmali Ansari S/o Asar Ali Ansari R/o Kurma P.S.- Pindrajora DistrictBokaro, 3. Ramnarayan Hembram S/o Late Nand Lal Manjhi R/o Kurma P.S.- Pindrajora District- Bokaro, 4. Ganeshlal Mishra S/o Late Anant Kumar Mishra R/o Gandhajore P.S. Chas District Bokaro.

5. It is further evident from the said order that all the above-named persons were present in Court and voluntarily filed their written consent to undergo the Narco-Analysis Test. The prayer so made by the Investigating Officer was accordingly allowed, with a direction upon the Investigating Officer to submit the report of the Narco-Analysis Test along with the case diary.

6. This Court has carefully examined the record and finds that the Narco-Analysis Test of the accused Janta Turi, Ramnarayan Hembram, and Ganeshlal Mishra was conducted on different dates, namely, 19.01.2023, 17.01.2023, and 17.01.2023 respectively. However, the Narco-Analysis Test of the accused Rahmali Ansari could not be conducted owing to his medical unfitness, as he was found not fit to undergo the said examination.

7. However, no any endeavour appears to have been made by the Investigating Officer to produce the medical report evidencing the medical unfitness of the said Rahmali Ansari.

8. Further, even if it is accepted that the said Rahmali Ansari was medically unfit, in such circumstances, the question arises as to whether, further steps were taken for conducting the Narco-Analysis Test of the said Rahmali Ansari; however, there is no reference to any such endeavour in the counter affidavit.

9. This clearly demonstrates negligence in the investigation, for the reason that, if the police are investigating a case concerning the tracing of a minor girl aged about 14 years, who prima facie appears to have been abducted, then greater diligence was required. As per Paragraph 137 of the Case Diary, wherein the supervision note is referred, this Court has found that the victim girl has been said to be kidnapped.

10. The aforesaid fact also stands substantiated in the course of investigation, wherein it has been recorded that at about 11:45 a.m., one person informed the informant that a ladies' cycle, a slipper (chappal), and certain books (copy-kitab) were found scattered on the main road, at a distance of about 100 metres near the Hospital, on the road leading towards Kurma.

11. The informant, upon perusal of all the recovered articles, identified them to be the belongings of his daughter. Thereafter, efforts were undertaken to trace out the minor girl.

12. In this situation, although the Investigating Officer had proceeded with the investigation to obtain permission for conducting the Narco Analysis Test, yet, the said Rahmali Ansari—who had been identified for the purpose of eliciting a clue towards tracing the

victim—has not been subjected to the Narco-Analysis Test till date.

13. Learned State Counsel has submitted that the investigation has now been handed over to the Crime Investigation Department (CID), which is to proceed further with the matter. It is noted that the investigation was entrusted to the CID only on 20.04.2026, that is, after a lapse of about three years from the date of the Narco-Analysis Test, and after more than five and a half years from the date of institution of the First Information Report.

14. This Court is indeed surprised that, although the Investigating Officer had taken steps to seek permission for conducting the Narco Analysis Test, the same was not carried out in its letter and spirit. Compliance in its true sense could only have been said to have been achieved had the order dated 21.09.2022 passed by the learned Judicial Magistrate, First Class, Bokaro, been duly implemented in its entirety. 15. The issue in the present case pertains to the missing of a minor girl aged about 14 years. In such circumstances, the State was expected to investigate the matter with utmost sincerity and diligence, for the reason that time is of the essence. The greater the delay, the higher the probability of casualty to the missing child.

16. The supervision note already has come in paragraph 137 of the case diary wherein admittedly it is a case of kidnapping. -----

16. This Court, on the basis of the discussion made hereinabove, is prima facie of the view that the investigation is not proceeding in a proper manner. However, learned counsel representing the State has submitted that the investigation has now been entrusted to the Crime Investigation Department (CID), and has sought three weeks' further time, in the hope and trust that the CID will proceed in the right direction.

17. It is further required to be noted herein that the learned counsel appearing in the present case is also representing another matter of like nature, being W.P. (Cr) No. 165 of 2026, as he submits which likewise pertains to the missing of a female girl. Learned counsel has submitted that, in that case, owing to improper investigation, the fate of the missing child ultimately reverted into her murder, and that case too arose from the Bokaro district.

18. The principal issue herein is to secure a clue regarding the missing child aged about 14 years.

19. This Court makes it clear that, if no fruitful result emerges, it shall consider taking recourse to the assistance of a Central Agency, so that the State Police and the CID may work in tandem under the aid and supervision of such Central Agency.

20. Let this case be listed on 8th June, 2026.”

33. Accordingly, matter was taken up on 08.06.2026. On that day, concerned officers, namely, Mr. Amardeep, Inspector, Criminal Investigation Department [CID] as also Mr. Ravi Kumar, SHO, Pindrajora P.S., Bokaro, though were not called for by this Court, but to assist the learned State Counsel, they were present in the Court.

34. This Court perused the case diary and found that no fresh endeavor has been taken by the Investigating officer in furtherance to the investigation done by the Bokaro Police, rather it is almost the repetition of the statement of the witnesses as recorded by the Bokaro Police.

35. This Court, considering the fact that there is no substantial progress by the CID in the case at hand, was

supposed to hand over the matter to Central Agency, as recorded at paragraphs 19 and 20 of order dated 15th May, 2026, but the learned State Counsel sought for one day time to have the instruction.

36. However, this Court, considering the gravity of the matter, thought it proper to interact with the higher officials of CID. Accordingly, ADG, CID was directed to appear on the next date of hearing i.e., on 9th June, 2026. For ready reference the order dated 08.06.2026 is being quoted herein which reads as under:

Order No. 04 : Dated 8th June, 2026

- 1. Reference may be made to order dated 15th May, 2026, which reads as under: ----*
- 2. Although we have made an observation at paragraphs 19 and 20 of order dated 15th May, 2026 making it clear that if no fruitful result emerges, this Court shall consider taking recourse of the assistance of the Central Agency so that the State Police and the CID may work in tandem.*
- 3. Today when the matter was taken up, Mr. Amardeep, Inspector, Criminal Investigation Department [CID] as also Mr. Ravi Kumar, SHO, Pindrajora P.S., Bokaro, are present, though they were not called for by this Court, but, to assist the learned State Counsel, who is being represented by Mr. Manoj Kumar No. 2, learned GA III.*
- 4. We are having with the case diary of Pindrajora P.S. Case No. 161 of 2020 investigation of which is being carried out by the Bokaro Police, which is up-to 14th April, 2026.*
- 5. This Court made a query that what is the further progress in the investigation after the matter has been handed over to the CID on 20th April, 2026, upon this, Mr. Amardeep, Inspector, CID, the investigating officer of the*

case has stated that the case diary is outside the Court as such took time to bring the same and came after some time with the case diary. 6. We have perused the case diary and found that no fresh endeavor has been taken by the Investigating officer in furtherance to the investigation done by the Bokaro Police, rather it is almost the repetition of the statement of the witnesses as recorded by the Bokaro Police.

7. This Court, considering the fact that there is no substantial progress by the CID in the case at hand, was supposed to hand over the matter to Central Agency, as recorded at paragraphs 19 and 20 of order dated 15th May, 2026, but learned State Counsel sought for one day time to have the instruction.

8. This Court thought it proper to interact with the high officials of CID.

9. Learned counsel for the State has submitted that the ADG, CID since is the highest officials looking after the affairs of CID as such he may be called for.

10. Accordingly, ADG, CID is directed to appear tomorrow.

11. List this case on 9th June, 2026 at 10.30. a.m

37. On 9th June, 2026 Mr. Manoj Kaushik, at present holding the post of Additional Director General (ADG), Crime Investigation Department (CID), appeared before this Court and the ADG, CID expressed concern over the prolonged disappearance of the minor girl and assured the Court that a Special Team would be constituted under his guidance to conduct a deeper probe. He further stated that the decision to involve a Central Agency would depend upon the evolving situation. Taking note of these assurances, the Court has placed its trust in the CID to carry out the investigation diligently has refrained from passing any order directing

recourse to a Central Agency and the matter was adjourned to be listed on 29th June, 2026. For ready reference order dated 09.06.2026 is being quoted as under:

- 1. Reference may be made to order dated 8th June, 2026.*
- 2. Pursuant thereto, Mr. Manoj Kaushik, at present holding the post of Additional Director General (ADG), Crime Investigation Department (CID), is present.*
- 3. This Court has thought it proper to directly interact with Mr. Kaushik, the reason is to have his suggestions, which is going on in his mind that how to proceed to have some clue to trace out the minor girl who is missing sometime in the year 2020.*
- 4. Although we have made an observation at paragraphs 19 and 20 of order dated 15th May, 2026 making it clear that if no fruitful result emerges, this Court shall consider taking recourse of the assistance of the Central Agency, so that the State Police and the CID may work in tandem under the aid and supervision of such Central Agency. The aforesaid view was prevailing in our mind even on 8th June, 2026 and therefore, reference of paragraphs 19 and 20 has been made at paragraph 7 of order dated 8th June, 2026, but as has been insisted by learned State Counsel that prior to passing such order, the ADG, CID being the highest official, looking after the affairs of the CID, may be called for.*
- 5. The CID has entered into the investigation on 20th April, 2026 but has been stated by the Investigating Officer as also by the ADG, CID that the record of the present case, has only been handed over to the CID on 5th May, 2026.*
- 6. This Court has posed a question to the ADG, CID that why the records has been handed over to the CID after lapse of 15 days when the time is the essence in such cases. Further question has been posed that what is the difficulty in taking aid of Central Agency, as has been observed by this Court at paragraphs 19 and 20 of order dated 15th May, 2026.*

7. The ADG, CID, has shown his concern with the issue i.e., missing of minor child (female) since sometimes in the year 2020, and has assured this Court that he will constitute a Special Team under his guidance and do his best to come to the conclusion.

8. He has further stated that so far as the issue of taking aid of Central Agency is concerned, decision will be taken on that aspect, depending upon the situation.

9. Therefore, whatever has been stated by the ADG, CID is being taken note of by this Court with the hope and trust that the investigation will be carried out by way of deeper probe to come the conclusion.

10. This Court for the present is refraining itself from passing order to take aid of the Central Agency.

11. This Court for further up-date of the investigation is adjourning the matter for two weeks.

12. List this case on 29th June, 2026.”

38. When the matter was taken up on 29th June, 2026, this Court took note of the fact that in such type of cases, ‘time is the essence’ and as such had directed the Central Agency to work in tandem with the State Agency, however, restrain itself from passing order to take aid of CBI on the assurance made by the ADG, CID.

39. It was informed that SIT has been constituted and it has further been stated that application which was made for Narco Test has been rejected. On the query put forth by the Court as to whether the said order of rejection has been challenged to the higher forum or not, it has been stated by learned State Counsel that he has no instruction with respect to the same.

40. However, this Court, after not being satisfied with the progress of investigation in the present case, has thought it proper to call upon the learned Advocate General to assist the Court in the matter. The learned Advocate General has appeared and has sought time to interact with the Additional Director General, C.I.D. On his request, the matter has been fixed for 02.07.2026 as first case. For ready reference the order dated 29.06.2026 is being quoted as under:

06/Dated:29th June, 2026

Reference may be made to the order dated 09.06.2026.

2. This Court has passed an order on the basis of the statement made by the Additional Director General (ADG), Crime Investigation Department (CID) that since the record of the present case has only been handed over to the CID on 05.05.2026 and has assured this Court that he will constitute a Special Team under his guidance and do his best to come to the conclusion.

3. Time and again, it has been referred in the orders that in such type of offence 'time is the essence' and as such, has also passed an order to direct the Central Agency to work in tandem with the State Agency, but refrain ourselves from passing order to take aid of the Central Agency on the statement made by the ADG, CID.

4. Today, it has been submitted by the learned counsel appearing for the State that another S.I.T has been constituted. It has also been stated that the application which was made for Narco Test of accused has been rejected.

5. But, on being queried by this Court, as to whether said order has been challenged before the higher forum or not, it has been stated by the learned State counsel that no instruction is there with respect to the same.

6. This Court, at this juncture, being not satisfied with the progress which has been stated orally and as such, has

thought it proper to call upon the learned Advocate General.

7. Learned Advocate General has appeared and has prayed for two days' time to interact with the ADG, CID personally.

8. Considering the said submission, list this matter on 02.07.2026 as a first case.

9. Henceforth learned Advocate General will assist this Court on the issue.

10. Let the name of learned Advocate General be reflected in the daily cause list.

41. On 2nd July, 2026, this Court took note of all the previous orders passed by this Court in detail.

42. The learned Advocate General appeared and submitted that the technical members of the Special Investigation Team (S.I.T.), namely, Ms. Neha Bala, Deputy Superintendent of Police, C.I.D., and Mr. Amardeep, Inspector, C.I.D., are present before this Court for the purpose of apprising and updating the Court with regard to the progress of the investigation.

43. One of the members of the technical team, namely, Ms. Neha Bala, has submitted before this Court that on the basis of certain clues, the investigation was carried out in Gopalganj, a district in the State of Bihar. On the basis of the semblance of the physical appearance of the missing minor child with one lady located in district Gopalganj, Bihar, further inquiry has been undertaken. The said female has been found to be matched but to the extent of 90 per cent.

44. Upon this, a query was posed by this Court that what is the basis to reach to the semblance of matching to the extent of 90 per cent, then she has shared that on the basis of e-KYC (Electronic Know Your Customer) but the investigating agency has not been convinced regarding the identity of that lady to be of the missing minor child (female).

45. This Court further posed a question that what is the further technical means to corroborate the semblance in entirety and why the investigating agency is not following the other advanced technology like-*Gait analysis* etc.

46. Upon this, the technical members of the Special Investigation Team (S.I.T.), namely Ms. Neha Bala, Deputy Superintendent of Police, C.I.D., and Mr. Amardeep, Inspector, C.I.D., have submitted that in the State of Jharkhand, advanced scientific and technological tools like *Gait analysis* Technology is presently unavailable.

47. This Court, after going through order dated 15.05.2026 has found that it has been observed therein that that in case no fruitful result emerges, this Court may pass order to hand over the investigation to the Central Investigation Agency.

48. One question was put to the learned Advocate General at this juncture, having no clue of the victim girl, upon this, the learned Advocate General, on instruction, has submitted that there is no difficulty, in a situation where the focus is to trace out the victim girl or to take clues regarding the

missing minor child (female), for the State to take aid of the technical expertise of the Central Agency.

49. This Court, having regard to the concession so tendered, opined that the State machinery is indeed keen and committed to locating, or at the very least obtaining a clue regarding, the missing minor girl; and the concession is indicative of the seriousness with which the State views the matter, and of its willingness to extend cooperation to ensure that the investigative process is not thwarted.

50. This Court, considering the aforesaid submission directed to implead the Director, Central Bureau of Investigation (C.B.I.), as party respondent and direction was passed upon the newly added respondent to cooperate in the investigation and to work in tandem with the State Investigating Agency (C.I.D.)

51. It has further been observed by this Court that such order was passed in open Court on the concession of the learned Advocate General, in the presence of the learned Advocate General, the learned Assistant Solicitor General of India (ASGI), and the learned counsel appearing for the petitioner.

52. Mr. Prashant Pallav, learned ASGI who was present in the Court waived notice on behalf of newly added respondent.

53. Accordingly, the matter was adjourned to be listed on 27th July, 2026. For ready reference the relevant paragraphs

of the order dated 02.07.2026 are being quoted herein which reads as under:

15. Accordingly, the matter has been taken up today. The learned Advocate General has submitted that the technical members of the Special Investigation Team (S.I.T.), namely, Ms. Neha Bala, Deputy Superintendent of Police, C.I.D., and Mr. Amardeep, Inspector, C.I.D., are present before this Court for the purpose of apprising and updating the Court with regard to the progress of the investigation.

16. The officers concerned, being members of the technical team of the Special Investigation Team (S.I.T.), have disclosed the furtherance in the investigation.

17. It has been stated by one of the members of the technical team, namely, Ms. Neha Bala, that on the basis of certain clues, the investigation was carried out in Gopalganj, a district in the State of Bihar. On the basis of the semblance of the physical appearance of the missing minor child with one lady located in district Gopalganj, Bihar, further inquiry has been undertaken. The said female has been found to be matched but to the extent of 90 per cent.

18. This Court has posed a question that what is the basis to reach to the semblance of matching to the extent of 90 per cent, then she has shared that on the basis of e-KYC (Electronic Know Your Customer) but the investigating agency has not been convinced regarding the identity of that lady to be of the missing minor child (female).

19. This Court then posed a question that what is the further technical means to corroborate the semblance in entirety. This Court thereafter has asked that why the investigating agency is not following the other advanced technology like-Gait analysis etc.

20. The technical members of the Special Investigation Team (S.I.T.), namely Ms. Neha Bala, Deputy Superintendent of Police, C.I.D., and Mr. Amardeep, Inspector, C.I.D., have submitted that in the State of

Jharkhand, advanced scientific and technological tools like Gait analysis Technology is presently unavailable.

21. At this stage, learned counsel for the petitioner has reminded this Court of its earlier order dated 15.05.2026, wherein it was observed that if no fruitful result emerges, recourse to the assistance of the Central Agency may be considered so that the State Police and the C.I.D. may work in tandem. The counsel has submitted that when the State itself is keen to locate or trace out the victim, there is no reason why the aid of the Central Agency should not be taken.

22. The learned Advocate General, upon being confronted with the aforesaid submission, has sought for a pause in the proceedings to obtain instructions from the competent authority. Thereafter, the case has been adjourned as per the request of the learned Advocate General and has been called upon at 12:45 PM for further consideration.

23. The learned Advocate General has appeared along with the officers concerned and has submitted before this Court that there is no difficulty, in a situation where the focus is to trace out the victim girl or to take clues regarding the missing minor child (female), for the State to take aid of the technical expertise of the Central Agency.

24. This Court, having regard to the concession so tendered, is of the view that the State machinery is indeed keen and committed to locating, or at the very least obtaining a clue regarding, the missing minor girl. The concession is indicative of the seriousness with which the State views the matter, and of its willingness to extend cooperation to ensure that the investigative process is not thwarted.

25. Mr. Prashant Pallav, the learned Assistant Solicitor General of India (ASGI), is present in the Court. Considering the submission of the learned Advocate General, wherein it has been stated that the focus of the State is to sincerely pursue the tracing of the missing minor child (female) and that there is no difficulty in taking the aid of the Central Agency if required, this Court is of

the view that the Director, Central Bureau of Investigation (C.B.I.), be impleaded as a party-respondent in the present proceeding. 26. Let necessary addition be carried out in the arrays of respondents.

27. The learned ASGI waives notice on behalf of the newly impleaded respondent, i.e., C.B.I.

28. The Director, Central Bureau of Investigation (C.B.I.), is directed to cooperate in the investigation and to work in tandem with the State Investigating Agency (C.I.D.)

29. The order is being passed in open Court on the concession of the learned Advocate General, as recorded hereinabove, in the presence of the learned Advocate General, the learned Assistant Solicitor General of India (ASGI), and the learned counsel appearing for the petitioner.

30. Let a copy of this order be handed over to the learned ASGI for onward communication to the Director, C.B.I. forthwith.

31. List this matter on 27.07.2026.

32. Let name of Mr. Prashant Pallav, the learned ASGI appear in the cause list henceforth.

54. On 27th July, 2026, no affidavit showing the progress of investigation was filed, however, on the request of learned Advocate General, the matter was adjourned to be listed on 28.07.2026.

55. Thereafter matter was taken on 7th August, 2026. The learned Advocate General appeared in the matter and agreed that the concern of the investigating agency, either it is State Agency or the CBI, is to trace out the minor girl. However, he has admitted that it may be a case of trafficking of the minor girl outside the State.

56. One Interlocutory Application being I.A. No. 10465 of 2026 was filed on behalf of respondent seeking directions upon Meta Platforms Inc [Facebook/Instagram] and Google LLC for preservation and furnishing of historical digital records and also upon Telecom Service Providers/Internet Service Providers for preservation and furnishing CDRs and IPDRs, so that clue for tracing out of missing girl may be made available.

57. However, on the request of learned Advocate General the matter was adjourned to be listed on 11th August, 2026. For ready reference the order dated 07.08.2026 is being quoted herein which reads as under:

Order No. 09 : Dated 7th August, 2026

- 1. Heard learned counsel for the petitioner.*
- 2. The issue of tracing out the minor girl is involved in the present petition.*
- 3. Even after passing various orders, the District Police was found to be not in a position to have clue to trace out the missing girl, this Court passed order by directing the State Police to work in tandem with the central agency, i.e., Central Bureau of Investigation. But still there is no progress in the matter. However, it has been stated that data is said to be collected to have a clue of the missing girl through social media etc.*
- 4. The concerned of this Court is to trace out of the minor girl, who is missing since last 6 years.*

5. Today, learned Advocate General appeared in the matter and agreed that the concern of the investigating agency, either it is State Agency or the CBI, is to trace out the minor girl. However, he has admitted that it may be a case of trafficking of the minor girl outside the State.

6. One Interlocutory Application being I.A. No. 10465 of 2026 has been filed on behalf of respondent seeking directions upon Meta Platforms Inc [Facebook/Instagram] and Google LLC for preservation and furnishing of historical digital records and also upon Telecom Service Providers/Internet Service Providers for preservation and furnishing CDRs and IPDRs, so that clue for tracing out of missing girl may be made available.

7. However, learned Advocate General has sought for adjournment of the matter for today.

8. In view thereof, as prayed for, let this matter be listed on 11th August, 2026 at 2.15 p.m.

58. On 11th August, 2026, the Court again took note of all previous orders passed by this Court and took note of the fact that efforts although have been taken by the CID but when no clue was found as such this Court passed an order by impleading the CBI (Central Bureau of Investigation) as a party vide order dated 02.07.2026 so that the State Police and the C.I.D may work in tandem with the CBI. The purpose was expressed by the learned counsel appearing for the State and today as also by the learned Advocate General to trace out or to have the clue of the missing female child who is

traceless since in the month of October, 2020 but still there is no clue.

59. The learned Advocate General had appeared and also expressed the view of the State that even the State is very much sincere to trace out the victim female child and the sources have also been put even by constituting the Special Investigation Team by handing over the investigation to the CID. But no clue has yet been found of the missing girl and if in that circumstances the Court wishes to hand over the investigation to the CBI, there will be no objection by the State for the reason that the ultimate aim of the State is also to have the clue of the missing female child.

60. However, on the request of learned ASGI, the matter was adjourned to be listed on 13.08.2026, for ready reference the order dated 11.08.2026 is being quoted herein which reads as under:

10 / 11.08.2026

Reference may be made to the orders dated 12.05.2026, 15.05.2026, 08.06.2026, 09.06.2026, 29.06.2026, 02.07.2026, 27.07.2026 including the order dated 07.08.2026.

2. It is a case where the writ petition has been preferred for production of the minor female child who is missing sometime from the year 2020 i.e. particularly approx 16.10.2020. FIR was instituted. The case was investigated by the District Police but when no clue has been found thereafter the present writ petition has been filed under Article 226 of the Constitution of India for

issuance of writ of Habeas Corpus. Several orders have been passed by this Court. During the pendency of the writ petition, the State has decided to hand over the investigation to the Criminal Investigation Department so that the effective investigation be carried out to trace out the minor victim.

3. The progress of the Investigation has also been updated by the CID. The efforts although have been taken but when no clue was found by the CID then this Court has passed an order by impleading the CBI (Central Bureau of Investigation) as a party vide order dated 02.07.2026 so that the State Police and the C.I.D may work in tandem with the CBI. The purpose was expressed by the learned counsel appearing for the State and today as also by the learned Advocate General to trace out or to have the clue of the missing female child who is traceless since in the month of October, 2020 but still there is no clue.

4. The case was heard on 07.08.2026.

5. The reference has been given in that order that the State is also keen in tracing out or to have a clue of the missing of the minor female child. The learned Advocate General had appeared and also expressed the view of the State that even the State is very much sincere to trace out the victim female child and the sources have also been put even by constituting the Special Investigation Team by handing over the investigation to the CID. But no clue has yet been found of the missing girl and if in that circumstances the Court wishes to hand over the investigation to the CBI, there will be no objection by the State for the reason that the ultimate aim of the State is also to have the clue of the missing female child. The Central Bureau of Investigation has already been impleaded as a party vide order dated 02.07.2026 who is being represented by Mr. Prashant Pallav, learned ASGI.

6. Mr. Prashant Pallav, learned ASGI is present in the Court and has submitted that if the matter may be adjourned for today then he will assist the Court on the next date of hearing.

7. As prayed for, list this case day-after-tomorrow i.e. on 13.08.2026.

61. On 13th August, 2026, this Court took note of the fact that on earlier occasion, this Court passed order directing the CID to work in tandem with the CBI.

62. The CID is proceeding with the matter but has shown its difficulty in getting the details of the social media, for which, interlocutory application being I.A. No.10465 of 2026 has been filed. The matter needs to be investigated on the issue of trafficking of the minor girl. In such circumstances, the cross-boundary investigation is required.

63. In the aforesaid pretext, this Court has asked the learned Advocate General representing the State that if there is any difficulty in the investigation to trace out the victim girl, then, the investigation may be handed over to the CBI with a further direction to the CID to give full cooperation to the CBI to achieve the purpose of tracing out the missing girl.

64. In response the learned Advocate General, although, has stated in the Court, on instruction, that there will be no objection by the State if the investigation will be handed over to the CBI, since, the ultimate aim is to trace out the victim, as has been taken note in the order dated 11.08.2026. But this Court before passing order on that direction to handover the investigation to the CBI, is of the view that an affidavit is required to be filed on behalf of the State.

65. Learned Advocate General appearing for the State has agreed to the same and has prayed to list this matter on next Thursday, i.e., 20.08.2026 so that the appropriate affidavit be filed. Accordingly, the matter was adjourned to be listed on 20.08.2026. For ready reference order dated 13.08.2026 is being quoted herein which reads as under:

11/Dated: 13.08.2026

1. Heard Mr. Vincent Rohit Marki, learned counsel for the petitioner, Mr. Rohitashya Roy, learned Advocate General for the State and Mr. Prashant Pallav, learned A.S.G.I. for the CBI.

2. We, after hearing the learned counsel for the parties, have passed the following order on 11.08.2026

3. The missing female child is still traceless.

4. On earlier occasion, this Court has passed an order directing the CID to work in tandem with the CBI.

5. The CID is proceeding with the matter but has shown its difficulty in getting the details of the social media, for which, interlocutory application being I.A. No.10465 of 2026 has been filed.

6. The matter needs to be investigated on the issue of trafficking of the minor girl. In such circumstances, the cross-boundary investigation is required.

7. In the aforesaid pretext, this Court has asked the learned Advocate General representing the State that if there is any difficulty in the investigation to trace out the victim girl, then, the investigation will be handed over to the CBI with a further direction to the CID to give full cooperation to the CBI to achieve the purpose of tracing out the missing girl.

8. Learned Advocate General, although, has stated in the Court, on instruction, that there will be no objection by the State if the investigation will be handed over to the CBI,

since, the ultimate aim is to trace out the victim, as has been taken note in the order dated 11.08.2026.

9. But this Court before passing order on that direction to handover the investigation to the CBI, is of the view that an affidavit is required to be filed on behalf of the State.

10. Learned Advocate General appearing for the State has agreed to the same and has prayed to list this matter on next Thursday, i.e., 20.08.2026 so that the appropriate affidavit be filed. 11. As prayed for by the learned Advocate General, list this matter on 20.08.2026.

66. Thereafter instant petition was taken on 20.08.2026.

Affidavit in terms of order dated 13.08.2026 has been filed on behalf of the State.

67. The learned Advocate General placing the said affidavit has reiterated the stand of the State which he has orally brought to the notice of this Court as has been recorded in the order dated 13.08.2026 that there will be no objection by the State if the investigation will be handed over to the CBI, since, the ultimate aim is to trace out the victim.

68. Mr. Prashant Pallav, learned ASGI representing the CBI has also submitted based upon the instruction from the competent authority that there is no objection considering the issue involved in the present case if the investigation is handed over to the CBI.

69. Accordingly, the instant matter has been directed to be listed on 25.08.2026 under the heading for “orders”. For ready reference order dated 20.08.2026 is being quoted as under:

Affidavit in terms of order dated 13.08.2026 has been filed on behalf of the State.

2. Learned Advocate General placing the said affidavit has reiterated the stand of the State which he has orally brought to the notice of this Court as has been recorded in the order dated 13.08.2026.

3. Mr. Prashant Pallav, learned ASGI representing the CBI has submitted based upon the instruction from the competent authority that there is no objection considering the issue involved in the present case if the investigation is handed over to the CBI.

4. Heard learned counsel for the parties.

5. Let this matter be listed on 25.08.2026 under the heading for 'Orders'.

70. It is evident from entire orders passed by this Court referred and quoted hereinabove that after filing of the writ petition, the matter was first taken up on 12th May, 2026. The petitioner's counsel submitted that the victim girl, aged about 14 years, has been missing since 16.10.2020, and an FIR was lodged immediately thereafter at Pindrajora Police Station, Bokaro. The State informed that investigation had been handed over to the CID on 20.04.2026. This Court directed filing of an affidavit, called for the case diary, and impleaded the ADG, CID, as a party respondent. The record revealed that Narco-Analysis Tests were ordered for suspects Janta Turi, Ramnarayan Hembram, and Ganeshlal Mishra, which were conducted in January 2023, while Rahmali Ansari's test was not conducted on grounds of medical unfitness.

71. The Court noted that despite more than five and a half years having elapsed, no progress had been made in tracing the missing girl, and even drew reference to another similar case (W.P.(Cr.) No. 165 of 2026) from Bokaro where improper investigation led to the murder of another missing child.

72. Subsequent hearings in May and June 2026 revealed that CID's efforts were largely repetitive of earlier police investigation, with no substantial progress. The Court considered recourse to a Central Agency but, upon assurance by the ADG, CID, that a Special Team would be constituted, refrained itself from passing such an order. Later, SIT members apprised the Court of investigation in Gopalganj, Bihar, where a female resembling the missing child was found with 90% similarity based on e-KYC, though identity was not confirmed. The Court questioned why advanced technologies like gait analysis were not used, and the State conceded that such tools were unavailable in Jharkhand.

73. On 2nd July, 2026, the Advocate General, acknowledging the State's limitations, agreed to involve the Central Bureau of Investigation (CBI). Accordingly, the Director, CBI, was impleaded as a party respondent, with directions to cooperate and work in tandem with CID.

74. In subsequent hearings through July and August 2026, the Advocate General admitted that the case might involve trafficking outside the State. An interlocutory application was

filed seeking directions upon Meta Platforms Inc., Google LLC, and telecom service providers for preservation of digital records, CDRs, and IPDRs to aid investigation. The Court reiterated that time is of the essence and emphasized cross-boundary investigation.

75. On 13th August, 2026, the Advocate General, on instruction, stated that the State had no objection if investigation is handed over to the CBI, but the Court required an affidavit to that effect. On 20th August, 2026, the State filed the affidavit reiterating its stand, and the ASGI representing CBI also confirmed no objection. Consequently, the matter has been directed to be listed on 25th August, 2026 under the heading “orders,” with the ultimate aim of ensuring that the missing minor girl is traced through coordinated efforts of CID and CBI.

76. This Court is now adverting to the contents of the affidavit, which has been filed on behalf of the state on 17.08.2026 in pursuance to the order dated 13.08.2026 passed by this Court, stating inter alia at paragraph 37 that the matter potentially involves cross-border and inter-State trafficking of minor girl, as is found from the IP activity traced to the State of Delhi, Telangana and West Bengal.

77. It has further been stated therein that the present case involves a minor girl missing since 16.10.2020 and the digital records pertaining to the period 2020 onwards constitute

material digital evidence essential for identifying the perpetrators and tracing the victim. Any permanent deletion or loss of the said record would cause irreparable prejudice to the investigation and to the chances of tracing and recovering the victim.

78. At paragraph 38 of the counter affidavit, it has further been stated that technological tools such as *Gait Analysis Technology*, which are advanced scientific investigative resources, are presently unavailable within the State of Jharkhand. The SIT of the CID has acknowledged this limitation before this Court on 02.07.2026, and this constitutes yet another reason why the capabilities of a Central Agency such as the CBI with access to far more advanced forensic and technical resources would greatly enhance the effectiveness of the investigation.

79. At paragraph 39 of the counter affidavit, it has been stated that the C.I.D. has also written letter to the CBI seeking necessary assistance which may expedite the investigation process, as the cross-State and cross-border dimensions of the case require resources, access, and jurisdictional authority that are uniquely available with the Central Bureau of Investigation.

80. At paragraph 40, it has been stated that the consent for transfer of investigation to the CBI is entirely a logistical and operational necessity arising from the unique complexities of

the present case specifically, the cross-State and cross-border digital trail, the need to seek data from foreign entities such as Meta Platforms Inc. and Google LLC through appropriate legal mechanisms (MLAT or otherwise), and the absence of advanced technical resources within the State and the same does not in any manner constitute an admission of investigative failure or negligence on the part of the State.

81. At paragraph 41, it has been stated that in the event of transfer of investigation to the CBI, the State and the C.I.D. shall extend full and unconditional cooperation to the CBI, as has already been expressed before this Court, and the C.I.D. shall continue to play an active and supportive role in the investigation as directed by this Court.

82. For ready reference, the relevant paragraphs of the counter affidavit filed by the State is quoted as under:

“37. That in addition to the aforesaid, the investigation has revealed that the matter potentially involves cross-boundary and inter-State trafficking of the minor girl, as is evident from the IP activity traced to States of Delhi, Telangana, and West Bengal. The present case involves a minor girl missing since 16.10.2020, and the digital records pertaining to the period 2020 onwards constitute material digital evidence essential for identifying the perpetrators and tracing the victim. Any permanent deletion or loss of the said records would cause irreparable prejudice to the investigation and to the chances of tracing and recovering the victim girl.

38. That it is further submitted that technological tools such as Gait Analysis Technology, which are advanced scientific investigative resources, are presently unavailable within the State of Jharkhand. The C.I.D. SIT has acknowledged this limitation before

this Hon'ble Court on 02.07.2026, and this constitutes yet another reason why the capabilities of a Central Agency such as the CBI with access to far more advanced forensic and technical resources would greatly enhance the effectiveness of the investigation.

39. That the C.I.D. has also written to the CBI seeking necessary assistance which may expedite the investigation process, as the cross-State and cross-border dimensions of the case require resources, access, and jurisdictional authority that are uniquely available with the Central Bureau of Investigation.

40. That it is most respectfully and earnestly submitted that the consent for transfer of investigation to the CBI is entirely a logistical and operational necessity arising from the unique complexities of the present case specifically, the cross-State and cross-border digital trail, the need to seek data from foreign entities such as Meta Platforms Inc. and Google LLC through appropriate legal mechanisms (MLAT or otherwise), and the absence of advanced technical resources within the State and the same does not in any manner constitute an admission of investigative failure or negligence on the part of the State.

40. That the State has, at every stage of the proceedings before this Hon'ble Court, expressed its sincere and wholehearted commitment to tracing the missing victim. The learned Advocate General, appearing on behalf of the State, has repeatedly submitted before this Hon'ble Court that the ultimate aim of the State is also to have the clue of the missing female child, and that the State has no objection to the involvement of the CBI if the Court so considers it appropriate for achieving the said aim.

41. That it is also respectfully emphasised that even in the event of transfer of investigation to the CBI, the State and the C.I.D. shall extend full and unconditional cooperation to the CBI, as has already been expressed before this Hon'ble Court, and the C.I.D. shall continue to play an active and supportive role in the investigation as directed by this Hon'ble Court. The State remains steadfastly committed to ensuring that all State resources are made available to the CBI for the purpose of tracing the victim.

43. That in light of the aforesaid exhaustive investigative steps, it is submitted that there has been no deliberate inaction, lapse, or negligence on the part of the State of Jharkhand or its investigative

agencies. The investigation has been pursued with diligence at every level, and all possible measures available to the State machinery have been employed. The State is keenly conscious of the gravity of the situation involving a missing minor girl and remains committed to doing everything within its power to secure her return.

44. That it is most respectfully submitted that the present Supplementary Affidavit has been filed bona fide and in the interest of justice, in compliance with the directions of this Hon'ble Court, and to present a complete and accurate picture of the State's investigative efforts and its position on the proposed transfer of investigation to the CBI.

83. Thus from the content of the aforesaid paragraphs of the affidavit filed on behalf of the State it is evident that the investigation has revealed cross-boundary and inter-State dimensions, with digital activity traced to Delhi, Telangana, and West Bengal, suggesting possible trafficking of the minor girl missing since 16.10.2020. Advanced forensic tools such as gait analysis are unavailable in the State of Jharkhand, a limitation acknowledged before this Court on 02.07.2026. Consequently, the CID has sought assistance from the CBI, as the complexities of cross-State and cross-border digital trails, the need to obtain data from foreign entities like Meta Platforms Inc. and Google LLC, and the absence of advanced technical resources necessitate involvement of a Central Agency. The State has clarified that this consent for transfer is a logistical necessity, not an admission of investigative failure.

84. It is further evident that at every stage, the State has expressed its sincere commitment to tracing the missing girl, with the Advocate General repeatedly affirming that the State has no objection to CBI involvement if deemed appropriate by this Court. The State and CID have assured full cooperation with the CBI, pledging to make all resources available to support the investigation. It is emphasized that the present supplementary affidavit has been filed bona fide, in compliance with Court directions, to present a complete account of investigative efforts and to confirm the State's position on transfer of investigation to the CBI in the interest of justice.

85. Further it is pertinent to mention herein that it would be evident from order dated 20.08.2026 that the learned ASGI has also shown his concern over the issue of missing girl since 16.10.2020 and has submitted that there is no objection considering the issue involved in the present case if the investigation is handed over to the CBI.

86. In light of the foregoing factual matrix and the unequivocal stand taken by the State, this Court is now called upon to render its order on the question of entrusting the investigation to the Central Bureau of Investigation (CBI).

87. There is no dispute regarding the power of the High Court under Article 226 to direct an inquiry by CBI but the said power can be exercised only in cases where there is

sufficient material to come to a *prima facie* conclusion that there is a need for such inquiry. It is not sufficient to have such material in the pleadings. On the contrary, there is a need for the High Court on consideration of such pleadings to come to the conclusion that the material before it is sufficient to direct such an inquiry by CBI.

88. The issue whether the High Court, in exercise of its jurisdiction under Article 226 of the Constitution of India, when can direct the CBI, established under the Delhi Special Police Establishment Act, 1946, to investigate a cognizable offence which is alleged to have taken place within the territorial jurisdiction of a State was referred for the opinion of the Constitution Bench of the Hon'ble Apex Court in ***State of W.B. v. Committee for Protection of Democratic Rights (2010) 3 SCC 571.***

89. The Hon'ble Apex Court while affirming exercise of such powers by High Courts made following succinct observations:

“70. Before parting with the case, we deem it necessary to emphasize that despite wide powers conferred by Articles 32 and 226 of the Constitution, while passing any order, the Courts must bear in mind certain self-imposed limitations on the exercise of these constitutional powers. The very plenitude of the power under the said articles requires great caution in its exercise. Insofar as the question of issuing a direction to CBI to conduct investigation in a case is concerned, although no inflexible guidelines can be laid down to decide whether or not such power should be exercised but time and again it has been reiterated that such an order is not to be passed as a

matter of routine or merely because a party has levelled some allegations against the local police. This extraordinary power must be exercised sparingly, cautiously and in exceptional situations where it becomes necessary to provide credibility and instill confidence in investigations or where the incident may have national and international ramifications or where such an order may be necessary for doing complete justice and enforcing the fundamental rights. Otherwise CBI would be flooded with a large number of cases and with limited resources, may find it difficult to properly investigate even serious cases and in the process lose its credibility and purpose with unsatisfactory investigations.

90. The Hon'ble Apex Court has further observed that Article 21 of the Constitution in its broad perspective seeks to protect the persons of their lives and personal liberties except according to the procedure established by law. The said article in its broad application not only takes within its fold enforcement of the rights of an accused but also the rights of the victim. The State has a duty to enforce the human rights of a citizen providing for fair and impartial investigation against any person accused of commission of a cognizable offence, which may include its own officers. In certain situations, even a witness to the crime may seek for and shall be granted protection by the State

91. In view of the precedents referred hereinabove, it is evident that while issuing directions to CBI to hold an investigation, pleadings and material sufficient for CBI inquiry are required to be looked into.

92. No inflexible guideline can be laid down to decide whether or not such power should be exercised, but it is settled position of law that the order of CBI investigation or enquiry should not be passed in routine manner. The Court may exercise such discretion, where the incident may have national or international ramifications and with intent to do complete justice or for enforcing the fundamental rights. It goes without saying that for invoking this power, the concerned Court must be satisfied that the material placed prima facie discloses commission of offences and necessitates a CBI investigation to ensure the fundamental right to a fair and impartial investigation, or where the complexity, scale, or national ramification of such allegations demands expertise of central agency.

93. In the case of ***Vinay Tyagi v. Irshad Ali, (2013) 5 SCC 762***, the Hon'ble Supreme Court has again held that Constitutional Courts are vested with power of transferring investigation from one agency to another, holding as follows:

*"43. At this stage, we may also state another well- settled canon of the criminal jurisprudence that the superior courts have the jurisdiction under Section 482 of the Code or even Article 226 of the Constitution of India to direct "further investigation", "fresh" or "de novo" and even "reinvestigation". "Fresh", "de novo" and "reinvestigation" are synonymous expressions and their result in law would be the same. **The superior courts are even vested with the power of transferring investigation from one agency to another, provided the ends of justice so demand such action.** Of course, it is also a settled principle that this power has to be exercised by the superior courts very*

sparingly and with great circumspection."

94. In the case of ***Dharam Pal v. State of Haryana, (2016) 4 SCC 160***, Hon'ble Supreme Court has again held the view that Constitutional Courts can direct for investigation or further investigation by any other agency. The relevant paragraph of the judgment reads as follows :

"24. Be it noted here that the constitutional courts can direct for further investigation or investigation by some other investigating agency. The purpose is, there has to be a fair investigation and a fair trial. The fair trial may be quite difficult unless there is a fair investigation. We are absolutely conscious that direction for further investigation by another agency has to be very sparingly issued but the facts depicted in this case compel us to exercise the said power. We are disposed to think that purpose of justice commands that the cause of the victim, the husband of the deceased, deserves to be answered so that miscarriage of justice is avoided. Therefore, in this case the stage of the case cannot be the governing factor."

95. Thus, this Court has exercised the power to transfer investigation from the State Police to CBI in cases where such transfer is considered necessary to discover the truth and to meet the ends of justice or because of the complexity of the issues arising for examination or where the case involves national or international ramifications.

96. In view of the foregoing circumstances, this Court is of the considered opinion that this Court has power under Article 226 of the Constitution of India to direct transfer of the investigation to the Central Bureau of Investigation (CBI), wherever such transfer is deemed necessary to unearth the truth and to secure the ends of justice. Such power may

appropriately be exercised in cases involving grave complexity of issues, cross-jurisdictional or national ramifications, or where the scale and intricacy of incident demand the specialized expertise and resources of a central investigative agency.

97. It is evident from the facts of the present case that the minor girl aged about 14 years (corpus) has remained missing since 16.10.2020 at about 10:45 A.M., and though F.I.R. No. 161 of 2020 was instituted on the same day before the concerned police station, but the investigation carried out by the district police has not yielded the requisite progress and after filing of the writ petition, it has been brought to the notice of this Court that the investigation has been handed over to C.I.D on 20.04.2026.

98. The Criminal Investigation Department (CID) thereafter undertook the investigation and, in furtherance thereof, constituted a Special Investigation Team (SIT) to probe the matter within the resources available to the State. However, as disclosed in the counter affidavit filed by the respondents and referred to hereinabove, serious difficulties have arisen, inasmuch as the investigation has revealed that the case involves inter-State trafficking of the minor girl, with IP activity traced to the States of Delhi, Telangana, and West Bengal.

99. The State has acted *bona fide* in acknowledging that the case concerns the disappearance of a minor girl since 2020, while candidly admitting its lack of access to advanced technological tools such as Gait analysis, which are presently unavailable within State of Jharkhand. In contrast, a Central Agency like the CBI possesses far more sophisticated forensic and technical resources, the deployment of which would substantially enhance the effectiveness and depth of the investigation.

100. At paragraph 39 of the counter affidavit, it has been stated that the C.I.D. has also written letter to the CBI seeking necessary assistance which may expedite the investigation process, as the cross-State and cross-border dimensions of the case require resources, access, and jurisdictional authority that are uniquely available with the Central Bureau of Investigation.

101. Further, at paragraph 40 of the counter affidavit, it has been stated that the consent for transfer of investigation to the CBI is entirely a logistical and operational necessity arising from the unique complexities of the present case specifically, the cross-State and cross-border digital trail, the need to seek data from foreign entities such as Meta Platforms Inc. and Google LLC through appropriate legal mechanisms (MLAT or otherwise), and the absence of advanced technical resources within the State and the same

does not in any manner constitute an admission of investigative failure or negligence on the part of the State.

102. This Court, in exercise of the powers conferred under Article 226 of the Constitution of India, and having regard to the stand taken by the State indicating its technical limitations submitted that there will be no objection by the State to the transfer of investigation to the Central Bureau of Investigation (CBI), since the paramount objective remains the tracing of the missing victim, and further considering the submission of the learned ASGI representing the CBI, who, upon instructions from the competent authority, has conveyed that there is no objection to such transfer is of the considered view that in order to do substantive justice in the matter of tracing the minor girl aged 14 years, who went missing since 16.10.2020, is of the view that the instant case is required to be entrusted to the CBI for investigation.

103. The Central Bureau of Investigation (CBI), for the aforesaid purpose, has already been impleaded as a party vide order dated 02.07.2026, and is presently represented before this Court by Mr. Prashant Pallav, learned ASGI.

104. In view of the entirety of the facts and circumstances, this Court hereby directs that the investigation in the present matter be forthwith handed over to the Central Bureau of Investigation (CBI).

105. The Crime Investigation Department (CID), being the State agency presently seized with the investigation, is hereby directed, through its Additional Director General (ADG), to forthwith hand over the entire case record to the Joint Director, Eastern Zone, Central Bureau of Investigation (CBI), Ranchi.

106. The Director, Central Bureau of Investigation (CBI), is directed to ensure proper investigation of the matter by undertaking periodic reviews of the progress of the investigation.

107. It is pertinent to record herein, as stated at paragraph 41 of the counter-affidavit filed by the State, that in the event of transfer of investigation to the Central Bureau of Investigation (CBI), the State and its Crime Investigation Department (C.I.D.) shall extend full and unconditional cooperation to the CBI, as has already been expressly assured before this Court. In view thereof, no further direction is required to be passed for ensuring such cooperation.

108. The matter is, accordingly, adjourned and shall be listed after a period of two months.

109. On or before that date, the Central Bureau of Investigation (CBI) shall apprise this Court of the further developments in the matter by filing an affidavit indicating the progress of the investigation.

110. List this case on 27th October, 2026.

111. Before parting with the order, this Court, considering the sensitivity of the issue particularly the fact of issue of missing of minor girl, is of the view that the issue may not be propagated by giving interview in the media on the issue involved in the instant case.

(Sujit Narayan Prasad, J.)

(Sanjay Prasad, J.)

25th August, 2026
A.F.R.
Alankar/
Uploaded on 25.08.2026