

Understanding Custom of Forced Marriages: An Exploratory Study of Bihar

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ABSTRACT

"There is a new trend arising among the villages of Bihar which is to abduct the Groom. The Grooms are abducted under gun points by the bride's family and are made to marry under force or threatening. Due to forced marriage practices, the women's married at an early and young age, so they never are independent and are not given enough time by their family to develop their skill or opportunity for self-dependent. Other-hand dowry and property were a huddle for women's lives, the patriarchal society introduced these practices for their benefit, but these practices of dowry became cursed for women's life. The study of forced marriage is not only an exercise study of marriage that is unorthodox and taboo in India, but it has a larger economic, social, political, etc. The issue of forced marriage is a very taboo subject from rural India through which we can enrich the understanding of gender politics, body politics, bio-politics and its intersection with the economic, political, social and cultural aspects that play a part in such rituals and events."

Keywords: Child marriage, Forced Marriage, Dowry, Domestic violence, Elopement and Sexual Harassment.

INTRODUCTION

"*History of Human Marriage*" defines marriage as "the more or less durable connection between male and female lasting beyond the mere act of propagation till after the birth of offspring."¹

"Marriage is one of the general social organizations set up to control and direct the existence of humankind; it is the endorsed social example by which at least two-man set up a family"². The marriages are traditionally transformed into their responsibilities of two individuals and closely associated with the culture and society. The institutions of marriages have different implications of culture and are generally associated with family, it has presented the different functions of society to society and is used to regulate family. According to praveezMody in northern India, "The Hindu marriage is a strong union and Muslim marriage is a contract in north India. There is a strange perception follow by both communities. Virginity is a gift for the bride-groom's family by the bride's family. In other words, sex is seen as taboo as well as an object. This is a paradox, virginity is a gift for someone it means it is also a property of the family. According to Mody , the marriage in metropolitan cities with arranged marriages

¹Westermarck, Edward. 1891. *The History of Human Marriage*. New York: Macmillan.

²(P.B 1984)

is known as 'band bajaShaadi' or 'DhoomdhaamkiShaadi.'³The terms marriage', 'Hindu marriage' and "No marriage" are given by pravezmody and these two terms directly define the Hindu institution of marriage in India, But Love marriages contain personal choice, it can argue that arranged marriages are about social choice. In the arranged marriages whether it is Muslim community or Hindu, both communities prefer the same caste marriage for instance khan would marriage with khan or Thakur would marriage with Thakur, but In state of Bihar' marriages know as forced' marriage know as the Groom abducted at gunpoint and threats to their his life or their families because It is different from other states because Bihar is a traditionally patriarchal society and dowry has become a money-minting business for the parents of eligible bachelors. This forced marriages study would try to explain the problems in federal terms or this study tries to link federal features which the problem by describing the role of patriarchy, which may provide a new direction and elements to this research. This will focus on shame, guilt, effects, factors, causes, the role of patriarchy, measures, limitations and solutions of forced marriages in Bihar. Thus 'Forced' marriage is Constrained' marriage is a marriage where at least one of the gatherings is hitched without their assent or without wanting to. A marriage can likewise turn into a constrained marriage regardless of whether the two players enter with full assent if one or both are later 'compelled' to remain in the marriage without wanting to. A constrained marriage contrasts from an organized marriage, in which the two players apparently agree to the help of their folks or an outsider like a relational arranger in finding and picking a mate. There is frequently a continuum of intimidation used to constrain a marriage, going from altogether actual savagery to unobtrusive mental tension."⁴. When you elope, from psychological pressure and choose their own choice and **ran away** with the person you love is called Elopement. "The word elope probably originated with the Middle Dutch word **lopen**, meaning "**run away**." Couples who elope typically don't seek anyone's permission before running off to get **married**, not even their parents."In Bihar forced marriages is practised by many communities or castes in different- different forced marriage is rampant in Bihar. Grooms have been kidnapped for 'forced' marriage in the state. In most cases, forced marriage was solemnized at gunpoint or threats to their lives and families. It is different from other states because Bihar is a traditionally patriarchal society, and dowry has become a money-minting business for the parents of eligible bachelors. As a result, girls remain unmarried as their parents cannot afford to meet the demands of such grooms. So, it led to the kidnapping of grooms for the marriage on the gunpoint, but on the other side, the state's practices forced marriage to prevent their traditional culture and bonds in India but also 'Forced' marriage is an abuse of human rights, a form of violence against women. According to Chowdhary, there were many wedding and caste marriages in India. These marriages are norms of kin, culture, caste, and where the couple does not follow norms of marriages and does not consider an arranged marriage, they prefer Elopement, considered as a forced marriage when couples are fall in love with each other without any permission of parents and ran away.

³(Mody feb 2002)

⁴ Sharp, Nicola. 2017. *Forced Marriage in the UK A scoping study on the experience of women from Middle Eastern and North East African Communities*. for women and children against the domestic violence, london: refugee.

AGE OF CONSENT BILL

"The age of bill 1891"⁵ raised the age of consent for sexual intercourse for all girls, married or unmarried, after the age of 10. "The proposition drawn up by the social reformers was the Age of Consent charge which would raise the period of sexual assent from 10 years to 12 years by revising the criminal law, the Indian Penal Code (IPC) 1891". The age of bill 1891 is always debated in society but Hindu orthodox support the bill of age 1891, because the Shastra of Hindu orthodox, the girl first menstruation period they ready got married and spend their life with their husband.

"The Indian Penal Code enacted in 1860 included the offence of rape and prescribed a punishment which might extend to transportation of life for the husband who consummated the marriage when his wife was below ten years of age"⁶. The law thus for thirty years, and subsequently, after intense opposition, the age of consent was raised to 12 years in 1891. It was subsequently raised to thirteen years in 1925 and later to fifteen years in 1949 for the legal age of marriage. After 1949, the age of consent for sexual intercourse within marriage with or without consent has not been raised though the age of marriage for a girl has been raised by "the Child Marriage Restraint Act to eighteen years in 1978"⁷.

These changes are a form of protectionism in the age of consent but do not advocate rights and equality for women. Professor Sathe argues that there was "no consciousness about the oppressive character of the patriarchal system"⁸.

Age of Consent in Marriage based on Hindu Shastras

The "age of consent" in marriage was basically on Hindu shastras. According to the Hindu shastra, the garbhadharna ritual was, the first of the ten fundamental life-cycle rites for high-born Hindus which made it obligatory for a girl to have sexual intercourse with her husband within sixteen days of her first period. "The rule is violated, the womb is polluted, the bride's future sons will not be able to offer pure ritual offerings to ancestral spirits, and the sin of feticide will be visited upon her father and her husband"⁹. Hindu orthodox criticize the concept of garbhadharna and they only follow the Hindu Shastra, the first menstruation period after sixteen days, their rights conquer to their husband. The age of consent bill defines it as physical safety from the outside force but does not give any right and sexual safety to the women. Liberal reformers argued that a lot of girls menstruated after twelve, however, her body is not ready to have intercourse consequently she faces brutal damage and death also they draw attention to describe the initiation into married life as a time of great fear but in the middle age period, the sexual relation describes the power of orthodox. Phulmonee had died after thirteen hours of agony and continuous bleeding. They had to record the precise traces of a brutal and fatal penetration, they had to agree that even at eleven, which was over the statutory age of ten, Phulmonee's body was sexually immature. According to Hindu orthodox, those girls over the age of ten and their sexual relations with their husbands are not counted as rape. It means that menstruation is defined as the age of marriage. They

⁵The age of bill 1891- The **Age of Consent Act, 1891**, also known as **Act X of 1891**, was a legislation enacted in British India on 19 March **1891** which raised the **age of consent** for sexual intercourse for all girls, married or unmarried, from ten to twelve years in all jurisdictions, its violation subject to criminal prosecution as rape.

⁶ : The first age of consent Act fixing the minimum permissible age for sexual intercourse with a woman married or unmarried at ten was passed with relative ease and incorporated into IPC ;Tanisha Abraham, Women and the Politics of Violence, pg 62

⁷ ibid

⁸(sathe 1993)

⁹(kosambi 1991)

says almost twenty per cent of the births in Bengal occurred to mothers between the ages of eleven and thirteen

The male-dominated society framework which treated women as property of husband the concept consent irrelevant in marital relationships. In the eyes of the orthodox, the Hindu scriptures entitled a girl, not to freedom but to be given away as a sacred gift through Kanayadan to her husband.

Religion plays a very important part in a religious country like India and penetrates every sphere of life in all possible capacities. Religious text and its backing of child marriage and a muddle age of consent given by this kind of text had given legitimacy to forceful sex intercourse without the actual consent of women and their feelings. Here during the close examination of Tanika Sarkar article, we can critically analyze and safely say that a women's physiological and biological body changes like the occurrence of mensuration were taken as a sign of manageable age, maturity and it was implied that it was consent being given to the men and tend society to violet her body. In today's time, one might think these kinds of practices and rituals are long gone but these practises rituals still inform and influence our cultural and social aspect of society and life in some way or the other. Some versions of these kinds of practices and rituals might still exist in some capacity or the other as in 21 century India, and we can still hear cases of forced child marriage from time to time in news and reports.

According to the court and judicial system, the legal age of marriage might not be 12 anymore. It has been increased 18 in the case of females and 21 for males. However, the larger mentality of controlling and owning female bodies and not giving consent is still prevalent in India. It is safe to sit that this ancient Indian text might have some role to play in developing this mentality and physiques of domination and power over females and bodily autonomy.

LEGAL ACTION AGAINST THE FORCED MARRIAGES.

The Protection of Women from Domestic Violence Act, 2005. "The PWDVA came into force in October 2006. It protects children and women who are or have been in a domestic relationship with the abuser, where both parties have lived together in a shared household and are related by consanguinity, marriage or through a relationship like marriage (thus covering co-habitants) or adoption. The legal issue in forced marriage defines the circumstances of forced and distinguish between the arranged and forced, The nature defines the term where consent isthe absence in the marriages and lots negative power work against your consent. Article 21 of the Indian constitution gave a legal right to choose their partner but radical society, cultures are forcible practices the marriage to protect their honour. "The PWDVA may be used to prevent forced marriages from taking place. One reason for its success is the practice of disposing of any application within six months, given that the law is aimed at providing emergency relief to women"¹⁰. "The PCMA (The Prohibition of Child Marriage Act) provides that any marriage where the child is "by force compelled or by any deceitful mean induced to go from any place" is null and void"¹¹. In India, for girls, the legal age for marriage is 18 years and for boys is 21 years, any marriage below this legal as decided by law is a violation of the law. Child marriage is a kind of child abuse and is a violation of law as well as a violation of children's rights. The government of India adopted the prohibition of the child marriage act in 2006 to eradicate child marriages in India.

¹⁰ Section 12(5), PWDVA.

¹¹ Section 12(c), PMCA

International Human Right

Human Rights are those basic entitlements of individuals without which a life with dignity is possible and human rights are very important for every human being and the protection of Human rights as mentioned in the United Nations Charter and UDHR. Indian government took a crucial step in this direction and established National Human Rights Commission on 12th October 1993. "The statute under which it is established is the Protection of Human Rights Act (PHRA), 1993 as amended by the Protection of Human Rights (Amendment) Act, 2006."¹²

The United Nations defines forced marriage as a "Union of two persons at least one to whom has not their full and free consent to the marriages". The perspective of forced marriage is denounced according to international right article 16 and 23 International Covenant on Civil and Political Rights. Article 16 are protected from all discrimination of all forms of women's rights. Forced marriage violation of freedom of choice and choosing partner, they lived their own lives.

Article 16 defined in international human rights protect the civil rights of women's. Article 23 of international human rights. "This functioning issue has, obviously, been emphatically reprimanded by social relativists who propose that sometimes customary and financial settings might legitimize rehearses so far that it would be sure appear to conflict with self-character of individuals inside those settings to deny them the option to convey those practices." "particularly when they are still youngsters, are denied the option to lead their life as they would wish, for example denied the right to training and independence ensured by Article 26 of the assertion".

"Section 366 of the IPC defines the offence of "kidnapping, abducting or inducing a woman to compel her marriage, etc.", which is punishable by imprisonment of up to ten years and a fine. Before reviewing the scope of Section 366 IPC, it is important to first examine definitions of kidnapping and abduction in the IPC"¹³. "Abduction is defined in Section 362 of the IPC as "forcible compulsion or inducement by deceitful means of any person to go from any place." While kidnapping from guardianship is an offence that can only be committed concerning a minor, the offence of abduction may concern a person of any age, and there is no reason to prove that in addition to being abducted, s/he was also taken away from lawful guardianship. In cases of forced marriage involving an adult woman, where either of the parents, by deceitful means, induces their daughter to go to another place for marriage, then they may be said to have abducted her".¹⁴"If a woman is either kidnapped or abducted with the intent that she may be compelled, or knowing it to be likely that she may be compelled, to marry any person against her will, then an offence would be committed under Section 366 of the IPC. The maximum penalty is imprisonment for ten years and a fine".

The Judgement in the High Court of Judicature of Patna, dated 30th April 2014 Sunaina Devi @Soniv Prashant Kumar Jha & Anr. Deals with Matrimonial Case in the family court of law, Saharsa. The complaint was originally filed by Sunaina Devi alias Soni under Section 9 of the Hindu Marriage Act, for the restoration of conjugal rights. To which the court had dismissed the case, as the court could not establish the breach of the marriage.

Precisely there are two versions been dictated by both the parties which read as follows, as alleged by the council for the complainant, the Bride - Sunaina Devi and the respondent Prashant Kumar Jha were

¹²(Zebari 2015)

¹³ Paras Diwan, Family Law, (Allahabad Law Agency; 2001), at p. 268.

¹⁴ In *Fatnaya Lal v. Emperor* AIR 1942 Lah. 89, a woman was forcefully carried away from the man with whom she was living by members of her husband's family. The Court held that the forcible carrying away of a grown up woman against her own will, even though with the object of restoring her to her husband, constituted an offence under section 362 IPC.

married on 16.02.2004, following and performing all the Hindu rituals and customs. Following a quarrel, that took place on the marriage night itself regarding the dowry. To which the brother of the Groom left the scene with accusing of false threats of kidnapping, instead of teaching the bride's father a lesson over nonpayment of the dowry. Despite several appeals made by the mother and the brother, the appellant was unable to pay, they did not accept her in the matrimonial house. A dowry of the sum of 3 lacs was demanded, which the father of Sunaina Devi was unable to pay. To which the family of the Groom stated that they would marry the boy elsewhere, which they even did. All attempts to the marriage were unsuccessful, earlier complaints have been registered too.

The other council rectifies that, the marriage had not happened according to the Hindu traditions and customs, as claimed by the appellant council as it took place within some 2 hours. Moreover, It was submitted that on the day of the alleged marriage, the Groom who is a school teacher was returning home on a Rickshaw -bicycle, was kidnapped around 4:30 pm on the road at the gunpoint in a black bolero GLX with an identified number plate as mentioned in the Judgement. This alleged kidnapping was done by Sanjay Kumar Jha, son of NavkantJha, as identified by the onlookers. Following which the brother of the Groom launched the complaint on the same day, under section – 365 IPC, which covers the forceful kidnapping and abduction. The Groom was recovered from the appellant's house around 10:30 the same night of the alleged marriage, which the appellant's counsel has claimed in his statement. On countering the appellant witness, he had disposed that the marriage ceremony had been concluded within some 2hrs of time, which makes it dubious as according to any Hindu Marriage is it challenging to complete it in such a short duration of time, where the rituals go till late night. Instead of the Dowry charges, the Dowry Prohibition Act was dismissed earlier on 30.8.2013 as no prosecution witness appeared after the charge. The fresh applicant only bears harassment.

Countering the evidence, the appellant failed to produce any video graphical or photographic pieces of evidence, whereas a claim of the still photographs taken by a 'Yashica' camera was made by the former. The appellant also acknowledges in her statement that no demand for dowry was made in her presence on the date of marriage. Also, the appellant's uncle states that he did not speak to any of the persons who had come to the Barat along with the Groom, which made it a highly unusual aspect for any Hindu traditional wedding. Also, the priest who solemnized the marriage acknowledged that he had never solemnized any marriage before the present and that he was a government employee. Moreover, he was not trained in the recitation of Mantras, especially those recited during marriage rituals. The sitting Family Judge did not consider any of this evidence reliable and did not believe in any of the assertions made by the appellant's witnesses. It appeared to be highly unusual conduct and state of affairs that a police case was lodged concerning kidnapping at the time of the marriage even while the Groom continued to be at the marriage venue voluntarily.

Whereas the Judge found the witnesses on behalf of the respondent were all consistent, countering to the Rickshaw puller was examined, who proved the abduction on the road. A co-villager proved the respondent's recovery from the house of the appellant. Also, no invitation card had been brought on record or produced, which is considered sacred and the first evidence in the marriage. Thus an inference was drawn that If marriage was being carried on, and a dispute occurred regarding dowry, the marriage would have been stalled or called off. It is unimaginable that a false kidnapping case would have been lodged as the Barat and the Groom could have well left the marriage venue. All of which suggests that the respondent was taken away by forceful abduction for marriage.

The final judgment was given in the Sunaina Devi @ SonivsPrashant Kumar Jha&Anr. on 30th April 2014 Indian Kanoon <http://indiankanoon.org/doc/158465720/> 3 that Sunaina Devi was the eldest of 7 sisters whose father was also a school teacher. Moreover, in the traditional rural society to which both parties belonged, the marriage of the eldest of sisters was a burden on the father of the appellant. The facts of the case are eloquent concerning abduction, an institution of a police case, submission of the charge sheet, recovery of the respondent from the house of the appellant on the night of the alleged marriage itself. Alternately the marriage may be solemnized forcefully considering the respondent in his evidence has stated that he was given tea at the residence of the appellant, which appeared to be laced as he fell unconscious soon after that. As he was drugged, it can safely be said that the Groom was in temporary unsoundness of mind, unaware of events and to consent for the act. The fact that the respondent was not in a normal state due to being drugged would have been revealed in the pictures, which were also missing in the pieces of evidence produced. The absence of adequate Barat and family members of the parties would have spoken for themselves about the genuineness of voluntary marriage. Thus if the appellant and the respondent never acquired the status of husband and wife, the marriage cannot be considered complete. However, the judgment also does not approve or state that it is a case of forceful marriage either or holds anyone punishable according to the act.

"The 'constrained' marriage of a specialist in a town in Patna hit the public features when he would not keep his love bird spouse since he was snatched and compelled to wed at gunpoint. Young ladies families have been capturing appropriate adolescents for coercive marriage. Families frequently use companions and family members, and in some cases even recruit proficient crooks, to do kidnappings for relationships".¹⁵

According to data of NCRB (National Crime Report Bureau) Published in New Indian Express newspaper on 4th February 2018,"The number of abducted males in Bihar in the 18 to 30 age-group was 2,526 in 2014, 3000 in 2015, 3,070 youths were kidnapped for PakadwaVivah in the state Bihar 2016, 3400 grooms abducted in 2017."¹⁶Nevertheless, the forced marriages continue, and in the years 2020 and 2021, the case came in the newspaper. During the aimed lockdown, the Groom was kidnapped from the district of Vaishali in Bihar and forcibly married her daughter. "Notwithstanding the cross country lockdown, a young was supposedly seized for coercively wedded to a young lady (pakaduavivah) in the adjoining Vaishali area on Tuesday". "In January this year, upwards of 270 instances of grabbing for relationships were enrolled in the state. While the police had enrolled 4498 instances of supposed seizing for relationships in 2019, 4,317 instances of kidnapping for a similar explanation were recorded in the earlier the year 2018"¹⁷. The Army men have kidnapped in lakhisarai district Bihar in a recent case. When he went for a morning walk, they were abducted by five men who covered their faces and were abducted at gunpoint;the bride family forcefully married her daughter for their better future. However, when the media askedabout this incident from the bride family, they stated that Shivam (name of Groom) had loved her daughter fortwo years, but when he got a job in the army, he refused to marry her daughter and demanded colossal dowry. According to lakhisarai police station, that angle of forced marriage was love-angle. (desk 2021)

4 Srivastava, Amitabh. 2017. "Marriage by abduction soars in Bihar, over 3,000 grooms tied knot at gunpoint in 2016." *India Today*, June 4.

¹⁶(i. express 2018)

¹⁷ ibid

The legal issue in forced marriage defines the circumstances of forced and distinguish between the arranged and forced, and The nature defines the term where consent is the absence in the marriages and lots negative power work against your consent. Article 21 of the Indian constitution gave a legal right to choose their partner, but radical society, cultures are forcible practices the marriage to protect their honour. Most abduction cases, but we have a law from prevention but honour and caste term to practises the force. NCRB data shows the actual image of forced marriage. It can be physical abuse, including threats of violence, actual physical violence and sexual violence. It can also be emotional and psychological.

SOME DATA OF FORCED MARRIAGE

In March 2016, a 15-year-old boy was kidnapped in Patna and taken to Khusrupur, forced to marry a 12-year-old girl. The boy's father owned 26 bighas of land, while the girl's father was an autorickshaw driver. Last May, Abhinay Kumar, 22, was abducted and married off in the Muzaffarpur district. (Times of India 21st January 2018) The most recent official figure available confirms that Bihar is at the top in the country when it comes to abduction above 18-year-old males. The number of abducted males in Bihar in the 18 to 30 age group was 1,096 in 2015. The state alone accounted for nearly 17 per cent of the national figure in the category. (National Crime Records Bureau Report 2015) Over the years, organized criminals have become part of the practice, as they carry out abductions for a fee and guarantee post-marriage "compliance" by the Groom for an extra fee. Thus, many such marriages go unreported and often continue under fear of violence from local criminals. As early as 1993, the magazine India Today reported such kidnappings by "social groups," one of which had formed in 1982 in Bihar, to kidnap grooms who demanded heavy dowries and forcibly marry them.

In some cases, if the Groom asks for too large a dowry or backs out of marriage due to dowry issues, the girl's family resorts to such measures, abducting the Groom via criminal gangs. After the marriage ceremony, the Groom is taken to the girl's village and are told that if he ever tries to harm or abandon the girl, they will wipe off the whole family of the Groom. At the same time, the newly married couple leads an unhappy life after that. However, most of these cases have been brought to light in recent years, and the police are now taking action against the people who have registered the case against the kidnappers. However, there remain cases where the grooms are afraid to raise a complaint. "The 'constrained' marriage of a designer in a town in Patna hit the public features when he would not keep his love bird spouse since he was snatched and compelled to wed at gunpoint. Young ladies families have been capturing appropriate adolescents for coercive marriage. Families frequently use companions and family members, and some of the time even recruit proficient crooks, to do kidnappings for relationships".¹⁸ (Srivastava 2017). "Santosh Kumar who lives in Bihar, Nawada district. They abducted them at gunpoint and force him to marry Ruby Devi. Santosh's father demanding high dowry for his son but from the bride side was not able to pay high dowry, but Santosh is highly educated and his future seems as bright and the bride family wants a Santosh to become the son in law her family. But dowry is becoming a huddle of the bride family. So Finally, Santosh is abducted by the bride family and force

4 Srivastava, Amitabh. 2017. "Marriage by abduction soars in Bihar, over 3,000 grooms tied knot at gunpoint in 2016." *India Today*, June 4.

him to marry her daughter Ruby Devi on 17 Feb 1998.”¹⁹ “The strain put on you to wed without wanting to can happen in numerous ways. It very well may be actual maltreatment, which incorporates dangers of savagery, real actual brutality and sexual viciousness. It can likewise be passionate and mental, for instance, being caused to feel as though you are letting the family down, being informed that you are a terrible girl, being informed that you have conflicted with your social or strict assumptions, or being caused to feel that you are embarrassing the family. Passionate and mental maltreatment can likewise incorporate close relatives conveying intimidations of self-damage or self destruction, or saying that they have become sick because of your refusal to consent to their desires. Misuse can likewise be monetary and this can incorporate taking your wages, or not giving you any or enough cash. At times, you might be held without wanting to, moved starting with one spot then onto the next, or not permitted to leave your home and hence might not be able to pick whether you need to go into a marriage”²⁰.

IS CONSENT PRACTICES in MARRIAGES.

In India, consent is a major term and they express their value the implied and express consent are both important in marriages. In Bihar Abduction of the groom for ‘forced’ marriages is basically for a good boy and better future of girl who married her. Therefore, the bride family demanded a good boy for her daughter and showed their power, honour and good status. On the national level, according to National Family Health Survey4 (NHFS)2015-16, the women age 20- 24 years married before age 18 years was 26.8% and men age 25- 29 years married before age 21 years was 20.3%. According to NHFS3, In Bihar of 2004-2005, the women age 20-24 years married before age 18 years was 69% and men age 25- 29 years married before age 21 years was 43% but in the NFHS 4 of 2015-2016, it has decreased to 42.5% in women and 35.3% in men. The above survey stated that marriage before the age of 18 and 21 years of women and men deprives children of all these rights, denying them the opportunity to develop into fully empowered individuals. These harmful social practices are very often cited as a prime cause for high maternal and infant mortality and the intergenerational cycle of malnutrition. Child Marriage also imposes certain social and decision-making roles for children who are not physically, mentally or emotionally prepared to fulfil these responsibilities. These child marriages are not for their consent and these practices led towards the forced marriage in Bihar.

CONCLUSION

The Indian society has been known as a patriarchal male-dominated society run by men. Where decision ranging from major to minor, public to private is taken by men therefore the same logic and the same rule apply when it comes to women body her choice and freedom to choose and do what she finds fit with her life. It has been a long tradition oppressive one and that to control the autonomy of women’s bodies and try to associate women’s bodies with purity and honour of the family. This theory of patriarchy also deals with issues of politics of body autonomy, bio-politics and they would try to explain the problems in federal terms or this study tries to link federal features which the problem by describing the role of patriarchy, which may provide a new direction and elements to this research. This will focus on shame, guilt, effects, factors, causes, the role of patriarchy, measures, limitations and solutions of

¹⁹2016. *Satyamev Jayate S1 | Episode 3 | Big Fat Indian Wedding*. Directed by satyajit bhatkal. Produced by Aamir khan and kiran rao. Performed by Aamir khan. Accessed August 14, 2016. <https://www.youtube.com/watch?v=OgTpZ-Fxx5s&t=2537s>

²⁰(Right of women (Forced marriage and law). 2013)

forced marriages in Bihar. The study unique forced marriage to contribute towards the reach understanding feminist theory and movement by bringing in issues from the interior of India such as subjects that are never talk about and are taboo and our taboo in our society this contribution will bring in the needed perspective the global south and make the field more inclusive diverse and give voices to the marginalized and the oppressed. According to the Indian constitution gave an equal status and right to choose their life but in real the constitutional right lose their identity in women's life. Women's in forced marriage they suffer from Adultery, marital rape and became a sex slave for men in forced marriages. The Constitution of India gave equal rights and status to women and also protect from cohesion but how many women's get knows their constitutional rights. CONSENT is defined as will and choose but coercion is defined as forcefully. The woman was caged to act on someone else orders; some others exercised control on her power to consent. In today's time, one might think these kinds of practices and rituals are long gone but these practises rituals still inform and influence our cultural and social aspect of society and life in some way or the other. Some versions of these kinds of practices and rituals might still be existing in some capacity or the other as in 21 century India we can still hear cases of forced child marriage from time to time in news and reports.

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