

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 15751 of 2015

Arising Out of PS.Case No. -268 Year- 2011 Thana -Lalit Narayan University District- Darbhanga

1. Sujata Jha wife of Prashant Kumar Jha, D/o Mohan Kishore Mishra Resident of village - Kabadaghat, P.S. University Police Station, Darbhanga, District - Darbhanga. At present Kailash Bhawan New Yarpur Road No. 1 Gardanibagh, P.S. Gardanibagh, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Prashant Kumar Jha son of Dayanand Jha resident of village Kabaraghat, P.S. - University Darbhanga District - Darbhanga.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 04-12-2015

The petitioner who is wife of the Opposite Party No. 2 seeks transfer of L.N.M University P.S. Case No. 268 of 2011 from the Court of Sub-Divisional Judicial Magistrate, Darbhanga to Sub-Divisional Judicial Magistrate, Patna on the ground of inconvenience.

It has been submitted that the petitioner is very unwell and all the witnesses belong to Patna and therefore it would be desirable the case be transferred.

On the other hand counsel for the Opposite Party. No. 2 submits that cause of the action arose in Darbhanga. Hence the trial should be held there.

Considering that all the witnesses reside in Patna and it would be inconvenient for them to go Darbhanga the application is allowed and the S.D.J.M Darbhanga is directed to send the records of the L.N.M University P.S. Case No. 268 of 2011 to the Court of competent jurisdiction at Patna within three weeks from the date of receipt of a copy of this order.

It is made clear that the Court will not insist for personal appearance of the accused persons on any date except for framing of charges/recording of statement under Section 313 Cr.P.C/ judgment.

(Anjana Prakash, J)

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