

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 17584 of 2015

Arising Out of PS.Case No. -1518 Year- 2011 Thana -DARBHANGA COMPLAINT CASE
District- DARBHANGA

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1. Archana Choudhary wife of Prabin Kumar Chaudhary @ Praveen Kumar Choudhary, daughter of Ram Kumar Jha resident of Village - Sahora, P.S. - Ashok Paper Mill (Darbhanga), District - Darbhanga, at present residing with her parents at Phulwari Sharif, Birla Colony, Flat No. B/18, P.O. & P.S. - Phulwarisharif, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Prabin Kumar Chaudhary @ Praveen Kumar Choudhary son of Ravindra Choudhary
3. Ravindra Choudhary son of late Ram Sogarth Choudhary
4. Navin Choudhary son of Ravindra Choudhary
5. Petitioner's mother-in-law wife of Ravindra Choudhary
6. Gudiya Choudhary / Devi wife of Navin Choudhary
7. Sanju Devi wife of Jai Narayan Jha, daughter of Ravindra Choudhary Village - Murliachak, P.S. - Bisfi, Distt. - Madhubani.
8. Ramesh Choudhary son of late Upendra Choudhary
9. Bimlesh Choudhary son of Dinesh Choudhary
10. Krishna Mohan Choudhary son of Bindeshwar Choudhary All except Sl. No. 7 above residents of Village - Chahuta, Via - Kamtaul, P.S. - Bisfi, District - Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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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 Complaint Case bearing C.R. No. 1518 of 2011/T.R. No. 3498 of 2012 from the Court of S.D.J.M, Darbhanga to the Court of S.D.J.M, Patna or to the Court of S.D.J.M, Vaishali at Hajipur.

It has been submitted that the husband had also filed the

Divorce Case no. 33 of 2013 (converted from Matrimonial Case No. 24 of 2010) which had transferred to the Principal Judge, Family Court Vaishali at Hajipur and therefore it would be desirable that the present complaint also be transferred there.

On the other hand counsel for the opposite Party no. 2 submits that since this is a belated prayer it should not be allowed.

Considering that it would be convenient for both the parties that both the cases be heard in one Court the application is allowed and the S.D.J.M, Darbhanga is directed to send the records of the Complaint Case bearing C.R. No. 1518 of 2011/T.R. No. 3498 of 2012 to the Court of S.D.J.M, Vaishali at Hajipur 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)

Prakash/-

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