

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53232 of 2015

Arising Out of PS.Case No. -254 Year- 2012 Thana -NAUGACHIA District- BHAGALPUR

=====

Bam Bam Kumar Singh S/o Shri Jai Prakash Singh Resident of Village - Tetri,
Police Station - Naugachia, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vinay Rai S/o of Sri Balkrishna Rai R/o Vill Tet P.s Naugachia Distt Bhagalpur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Adv.

For the Opposite Party/s : Mr. R.B. Roy Raman, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 04-12-2015

The petitioner seeks transfer of S.T. No. 240 of 2013 arising out of Naugachia P.S. Case No. 254 of 2012 from the Court of 2nd Additional Sessions Judge, Naugachhia to any other Court in the same Sessions Division.

It has been submitted on behalf of the petitioner that when the prayer under Section 311 Cr.P.C was allowed by the Court below it issued noneailable warrant against the witnesses on account of which they became afraid and even though it was informed to the Court that a transfer petition has been filed but coercive action was taken against the witnesses for their appearance so that witnesses would appear as to ensure having no concern with the present sessions trial and it also started a contempt proceeding against the

informant’s lawyer. The further submission is that he has no faith in the Court and therefore, it should be transferred.

Since these are grounds which are not germane to the issue and transfer is a serious matter which affects the confidence of a judicial officer, the application stands rejected with a direction to the Court below to conclude the trial expeditiously.

(Anjana Prakash, J)

Prakash/-

U		T	
---	--	---	--