

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20907 of 2015

Arising Out of PS.Case No. -262 Year- 2009 Thana -BHAGWAN BAZAR District- SARAN

Rashmi Kumari. Wife of Shobhit Kumar Saurabh @ Shobhit Saurabh, Daughter of Sri Ram Singar Sharma. Resident of Government Flat No. 167, Road No. 6, Rajvanshi Nagar, P.S.- Shastri Nagar, District - Patna - 23, Bihar. At Present Purbi Gola Road, P.O.- Danapur, P.S.- Danapur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shobhit Kumar Saurabh Alias Shobhit Saurav.
3. Abhishek Saurabh alias Sonu. Both 2 & 3 Sons of Sri Uma Nath Sharma.
4. Sri Mati Indra Shaundilya. Wife of Sri Uma Nath Sharma.
5. Sri Uma Nath Sharma. Son of None Known. All 1 to 4 Resident of Bharat Milap Chowk Bhagwan Bazar, P.O.+ P.S.- Bhagwan Bazar, District - Chapra [Saran].

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate.

For the Opposite Party/s : Mr. Nand Kumar, APP.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-09-2015

The Petitioner who is the wife seeks transfer of Bhagawan Bazar P.S.Case No.262 of 2009 from the Court of Chief Judicial Magistrate, Chapra to the Court of Chief Judicial Magistrate, Patna on grounds of convenience and submission that there are two other cases, i.e., Maintenance Case and Divorce Case pending between the same parties in the Court of Principal Judge, Family Court, Patna.

Considering such aspect of the matter, the court below is directed to transfer records of Bhagawan Bazar P.S.Case No.262 of 2009 to the Sessions Division at Patna where it shall be allocated to

the Court of competent jurisdiction.

It is made clear that the Court at Patna shall not insist upon the presence of the Opposite Parties except on the dates fixed for charge, Section 313 Cr.P.C. and judgment.

(Anjana Prakash, J)

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