

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32766 of 2013

Arising Out of PS.Case No. -1443 Year- 2011 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Jyoti, W/O Rajneesh Kumar, D/O Sri Mahesh Prasad Sah, resident of village-
Kanti, P.O. + P.S.- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar,
2. Engineer Rajneesh Kumar, S/O Narendra Prasad Sah, Gupta Bhawan, back of
Madarsa, Vaidyanath Dham, Deoghar, Jharkhand.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms. Gulnar Begum, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 21-08-2015

The Petitioner seeks transfer of Complaint Case
No.1443 of 2011 pending before the Sub-Divisional Judicial
Magistrate, Bhagalpur, to a Court of competent jurisdiction within
the Sessions Division of Muzaffarpur district on the ground that
case of maintenance bearing No. 08 of 2014 is pending between the
parties before the Principal Judge, Family Court, Muzaffarpur.

Notice had been issued to the Opposite Party No.2 but
none appears on his behalf.

Considering the aforesaid, let Complaint Case No.1443
of 2011 pending before the Sub-Divisional Judicial Magistrate,
Bhagalpur, be transferred to a Court of competent jurisdiction
within the Sessions Division of Muzaffarpur district within a period

of three weeks from the date of receipt of a copy of this order.

However, the court below shall not insist on physically appearance of the accused on each date unless it is required for framing of charge, recording of statement under Section 313 Cr. P.C. and at the time of judgment.

The Trial Court is directed to expedite the trial without granting unnecessary adjournment to any party.

The application stands allowed.

(Anjana Prakash, J)

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