

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35443 of 2014

Arising Out of PS.Case No. -459 Year- 2013 Thana -COMPLAINT CASE District- KISANGANJ

1. Nazia Sultana W/o Md. Faiz Kibria resident of vill + Post- Birdipur, P.S.- Simri,
Distt.- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Faiz Kibria Son of Abdur Razique residnet of vill + Post- Birdipur, P.S.-
Simri, Distt.- Darbhanga, Presently at Madresa Islamia Maktubia Naunadi, vill-
Peepal Bari, Post- Chatargaach, P.S.- Pothia, Distt.- Kishanganj

.... Opposite Party/s

Appearance :

For the Petitioner/s : Md. Kamran, Adv.
For the State : Mr. Uma Nath Mishra, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 21-08-2015

No one appears on behalf of the Opposite Party No. 2.

The Petitioner seeks transfer of Complaint Case No. 459 of 2013 from Judicial Magistrate, 1st Class, Kishanganj to the Court of competent jurisdiction at Darbhanga since Simri P.S. Case No. 51 of 2013 also between the same Party is pending there.

Considering the reasonableness of the prayer, the application is allowed and the Complaint Case No. 459 of 2013 is transferred from the Judgeship of Kishanganj to the competent jurisdiction at Darbhanga.

The Court below is directed to transfer the case as aforesaid within a period of three weeks from the date of receipt of this order

after notice to the counsel appearing on behalf of the Opposite Party No. 2.

However, the Court at Darbhanga is directed not to insist on personal appearance of the Opposite Party No. 2 on any date except framing of charge, stage of Section 313 Cr. P.C. and on the date of Judgment.

The Trial Court is directed to conclude the trial expeditiously without granting unnecessary adjournment to any Party.

The Petitioner also undertakes to produce the witnesses on the date so fixed by the Trial Court.

With aforesaid observation, the application stands disposed off.

(Anjana Prakash, J)

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