

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14409 of 2016

Arising Out of PS.Case No. -601 Year- 2013 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Dr. Kamlesh Soni son of Hira Lal Soni, resident of Baidan (Near Hanuman Mandir), Police Station Baidan, District- Singrouli (M.P.)

.... Petitioner/s

Versus

1. The State of Bihar
2. Dr. Anuradha Verma wife of Dr. Kamlesh Soni, daughter of Ajay Kumar Verma, resident of Mohalla Mirzapur, Line Par, Police Station Nawada, District- Nawada.

.... Opposite Party/s

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with

Criminal Miscellaneous No.14370 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- NAWADA

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1. Dr. Kamlesh Soni son of Hira Lal Soni, resident of Baidan (Near Hanuman Mandir), Police Station Baidan, District- Singrouli (M.P.)

.... Petitioner/s

Versus

1. The State of Bihar
2. Dr. Anuradha Verma wife of Dr. Kamlesh Soni, daughter of Ajay Kumar Verma, resident of Mohalla Mirzapur, Line Par, Police Station Nawada, District- Nawada.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.14409 of 2016)

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

(In Cr.Misc. No.14370 of 2016)

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pradip Nr. Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 06-12-2016 The petitioner in both the cases is husband of opposite party No. 2. In Criminal Miscellaneous No. 14409 of 2016, the petitioner has sought for transfer of Complaint Case No. 601 of 2013 registered for the offence punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, pending in the court of learned Sub Divisional



Judicial Magistrate, Nawada within Nawada Judgeship to Patna Judgeship or any other Judgeship. In Criminal Miscellaneous No. 14370 of 2016, he seeks transfer of Miscellaneous Case No. 102 of 2014, pending in the court of learned Principal Judge, Family Court, Nawada filed by the opposite party No. 2 under Section 125 of the Code of Criminal Procedure.

The common ground, which the petitioner has taken for transfer of both the cases is that the opposite party No. 2 and her family members keep on threatening the petitioner of dire consequences and on a particular day, when the petitioner was going to board a bus for Gaya at Nawada, he was threatened by few persons. There is nothing on record to show that the petitioner ever brought these facts to the notice of the court below or to the local Police. The allegations made in the applications appear to be vague, which cannot form basis for exercise of power under Section 407 of the Code of Criminal Procedure.

I do not find any merit in these applications, which are accordingly dismissed.

(Chakradhari Sharan Singh, J)

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