

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23348 of 2016

Arising Out of PS.Case No. -10 Year- 2014 Thana -MAHILA P.S. District-
SAMASTIPUR

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1. Md. Azhar Son of Md. Sabir, resident of village - Chhoti
Balua, P.O. Lakhminya, Police Station Chhoti Balua, District –
Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Sabina Khatoon Wife of Md. Ajhar, Daughter of Late Md.
Kutubuddin, resident of village - Jitwarpur Chauth, Police
Station Samastipur Muffasil, District – Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Mishra

For the Opposite Party/s : Mr. Parmanand Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 13-12-2016

Heard.

This application, under Section 407 of the Code
of Criminal Procedure, has been filed seeking transfer of
Mahila P.S. Case No. 10 of 2014, registered for the offences
punishable under Sections 341, 323, 498A, 379 read with
Section 34 of the Indian Penal Code and under Section 3/4 of
the Dowry Prohibition Act, from the Court of learned



Additional Chief Judicial Magistrate-I, Samastipur to Patna or any other place except Samastipur.

The petitioner is the husband of opposite party No. 2, who has lodged the said criminal case. The only ground which has been taken for transfer of the case is mentioned in paragraph 13 of the application, which reads thus:-

"13. That, the informant and her family members are always giving threat to life of the petitioner and his family members on the day of their appearance in the Case at Samastipur that wise the petitioner and his family members are in fear."

It appears that the said statement is apparently vague and does not make out any ground for transfer of the case under Section 407 of the Code of Criminal Procedure.

This application has no merit and is, accordingly, dismissed.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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