

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33704 of 2016

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

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1. Zaitun Daughter of Er. Md. Ataullah Resident of Near Fatima Majid New Azimabad Colony, P.O. Mehendaru, P.S. Sultanganj District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Husnain Gauhar son of Md. Saifullat resident of Village Sankarnhai, P.S. Ghanshyampur, P.O. Kanhai Via Biraul District Darbhanga at present Near Kids World prepaid School New Azimabad Colony, P.O. Mehendaru P.S. Sultanganj, District Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

JUDGMENT AND ORDER

ORAL

Date: 19-01-2017

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State.

2. The present application, filed under Section 407 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the Code) for transfer of Matrimonial Case No. 166 of 2012, is not maintainable.

3. The said matrimonial case has been filed seeking decree of restitution of conjugal rights.

4. In exercise of power under Section 407 of the Code, only enquiry or trial in a criminal case can be



transferred.

5. This application is accordingly dismissed as not maintainable.

6. The petitioner will be at liberty to take recourse to law under appropriate provisions for the reliefs sought in the present application.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.01.2017
Transmission Date	19.01.2017

