

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11049 of 2017

Arising Out of PS.Case No. -82 Year- 2016 Thana -DALSINGHSARAI District- SAMASTIPUR

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1. Md. Alam, Son of Abdul Rahman,
 2. Khurshida Alam, W/o Md. Alam, Both Resident of Umar Colony, Anwarpur East, P.S. Hajipur, District - Vaishali
 3. Braj Bhushan Prasad Singh, W/o Ram Bilas Singh,
 4. Kamni Devi, W/o Braj Bhushan Prasad Singh, Both Resident of Mohalla - Veer Kunwar Singh Colony, P.S. Hajipur, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. The Superintendent of Police, Samastipur
3. The Deputy Superintendent of Police, Dalsingsarai, Distt. Samastipur
4. The Officer - in - Charge, Dalsingsarai Police Station, Samastipur
5. Shobha Devi, W/o Pawan Rai, Resident of village - Keota, P.S. Dalsingsarai, District - Samastipur
6. Baijnath Prasad Das, Son of Nanhki Das, Resident of Surmar Meyari, P.S. Sarairanjan, District - Samastipur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Adv
For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL JUDGMENT

Date: 06-03-2017

The petitioners seek transfer of Dalsingsarari P.S.

Case No. 82 of 2016 registered for the offences punishable under Sections 406, 419, 420, 467, 468/34 of the Indian Penal Code and Complaint Case No. 1350 of 2015 registered for the offences punishable under Section 323, 504, 406 and 420 of the Indian Penal Code to the court of learned Judicial Magistrate, 1st Class, Vaishali at Hajipur where Hajipur Town P.S. Case No. 277 of 2013



corresponding to G.R. No. 1870 of 2013, is pending relating to same transaction, according to the petitioners.

From the materials on record, it appears that three cases have been lodged by different persons making different allegations against the petitioners, who are said to be running a Chit Fund Company. Learned counsel for the petitioners has submitted that it will be convenient for all that the trial of all the three cases are held together at the same place, since the nature of offences alleged against the petitioners are same in all the three cases.

I do not find any substance in the said prayer. Admittedly the three cases have been lodged by three different persons making different allegations: Different sets of witnesses are there in the said three cases. For the convenience of the petitioners who are accused, the cases cannot be transferred by this Court exercising power under Section 407 of the Cr.P.C.

I do not find any merit in the application. It is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Ranjan/-

AFR/NAFR	NAFR
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