

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19943 of 2013

Arising Out of PS.Case No. -626 Year- 2008 Thana -SITAMARHI District- SITAMARHI

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1. Rajendra Prasad @ Pappu Son Of Late Kashi Nath Prasad Resident Of
Ghasiyar Patti, Ganj No. -2, Ham Ram Chowk, Bettiah, P.S. - Bettiah
Town, District - Westchampan.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Nibha Kumari @ Munni Daughter Of Jitulal Prasad Resident Of Mohalla
- Mirchai Patti, P.S. - Sitamarhi, District - Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnandan Prasad, Advocate
For the Opposite Party/s : Mr. Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

6 23-03-2017 This application seeking transfer of Sitamarhi P.S.

Case No. 626 of 2008 arising out of Complaint Case No. 1678 of
2008 from the court of learned Sub Divisional Judicial Magistrate,
Sitamarhi to a Court of equivalent jurisdiction under the judgeship
of Muzaffarpur was filed on 03.05.2013. When the matter was
taken on 26.08.2014, an adjournment was sought and the matter
was accordingly directed to be listed on 15.09.2014. On
25.09.2014, as there was no representation on behalf of the
petitioner, the matter was adjourned to 20.10.2014. Again on
12.11.2014 there being no representation on behalf of the
petitioner, the case was adjourned to 24.11.2014. On 14.08.2015



also there was no representation, and, therefore, this application was dismissed for non-prosecution. Subsequently, by an order dated 01.03.2017, the application came to be restored.

Today on call, there is no representation on behalf of the petitioner.

Considering the facts and circumstances of the case, instead of adjourning the matter any further or dismissing the application for default, I have considered it fit to dispose of this case as I do not find any merit in this case, on perusal of records.

The petitioner is husband of the opposite party No. 2 and is an accused in a case under Sections 498A, 323, 307 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act. A vague plea has been taken that petitioner apprehends the danger of his life from the opposite party and, therefore, the case be transferred to the court of Muzaffarpur.

I do not find any substance in the stand taken by the petitioner for transfer of the case. This application has no merit and is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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