

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11024 of 2015

Arising Out of PS.Case No. -15 Year- 2013 Thana -MAHILA P.S. District- BHOJPUR

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Kabita Devi, aged about 26 years, Daughter of Bhawan Prasad Gond, wife
of Sugandh Gond, Village- Karbighya, P. S. Jakkanpur, Patna

.... Petitioner/s

Versus

1. State of Bihar
2. Sugandh Gond, son of Bimal Gond, Villge Tipura par, P. S. Bihia, Dist..
Bhojpur.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satrudhan Kumar

For the Opposite Party/s : Mr. Binod Kumar -Iii(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

- 3 20-04-2017 The petitioner is wife of Opposite party No.2. She seeks

transfer of the proceeding arising out of Mahila P. S. Case No. 15

of 2013, registered for the offence punishable under Section 498A

of the Indian Penal Code and Section 3/4 of the Dowry Prohibition

Act.

The plea which has been taken for transfer of the case is
that the petitioner is residing at Patna and the Opposite party No.2
has contracted second marriage. It is her case that if the petitioner
is made to appear before the Court at Bhojpur, she will be put to
undue harassment, not only because of the travel which she will
have to undertake but also because of the attitude of her in-laws'
towards her.

I do not find the ground taken for transfer of the case



germane in view of the Supreme Court's decision in case of ***Jyoti Mishra Vs. Dhananjaya Mishra*** reported in (**2010**) 8 SCC 803.

No case for transfer of trial is made out on the basis of what has been stated in the application.

I do not find any merit in this application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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