

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46062 of 2016

Arising Out of PS.Case No. -215 Year- 2012 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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1. Resham Kumari Wife of Chhotu Choudhary, daughter of Sri Suresh Choudhary, resident of Village- Kailu Chak, Police Station- Masaurhi, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chhotu Choudhary, Son of Late Sadhu Choudhary, resident of Hati Gopalpur, Police Kako, District- Jehanabad, at present residing at 301/83, Farm Society Loperkheranea, Sector-12, Plot No. 19, Near Tin- Taki, Police Naka, Navi Mumbai- 400709.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Madhu Prasun
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 20-04-2017 The petitioner is wife of Opposite party No.2. She seeks transfer of Complaint Case No. 215 of 2012 from Jehanabad Civil Court to Patna Civil Court.

The sole plea which has been taken for transfer of the case is that it will be convenient for the petitioner to conduct the case at Jehanabad. The case was filed by the petitioner at Jehanabad. Convenience of a party cannot be a ground for transfer of a criminal case for one place to another. It further, transpires that witnesses are resident of Jehanabad and Masurhai

Learned counsel for the petitioner has submitted that



some matrimonial matter is pending at Patna and, therefore, it will not be inconvenient for the Opposite party No.2 to pursue his matter at Patna.

Be that as it may, in view of Supreme Court's decision in case of *Jyoti Mishra Vs. Dhananjaya Mishra* reported in *(2010) 8 SCC 803*, I am not convinced with the submission so advanced on behalf of the petitioner.

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

(Chakradhari Sharan Singh, J)

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