

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43928 of 2016

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1. Archana Devi @ Khusbu wife of Shatru Daman Singh, D/o Ram Kripal Singh resident of Village- Rawaich, Police Station- Bakhtiyarpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shatru Daman Singh Son of Sri Narendra Pratap Singh All residents of Jai Nagar (Near Post Office), Police Station- Jay Nagar, District- Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

6 01-05-2017 Heard learned counsel for the parties.

The petitioner is wife of Opposite party No.2. She has filed an application under Section 125 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the Code), giving rise to M.R. Case No. 258 of 2015, pending in the Court of learned Principal Judge, Family Court, Madhubani.

The present application has been filed seeking transfer of the said case from the Court of learned Principal Judge, Family Court, Madhubani to the Court of equivalent jurisdiction at Patna, on the ground that the petitioner is residing at Bakhtiyarpur in the District of Patna and it is difficult for her to pursue her case for maintenance at



Madhubani.

It has been contended on behalf of the petitioner that the petitioner has no source of income and her father with whom she lives, is also unemployed and cannot bear the expense of pending case at Madhubani.

A counter affidavit has been filed on behalf of Opposite party No.2, the husband of the petitioner who has not denied the fact that the petitioner has no source of income and her father is also an unemployed person.

Considering the facts and circumstances of the case, I direct the said M. R. Case no. 258 of 2015 to be transferred to the Court of learned Principal Judge, Family Court, Patna from the Court of learned Principal Judge, Family Court, Madhubani.

This application is, accordingly, allowed.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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