

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25701 of 2017

Arising Out of PS.Case No. -214 Year- 2016 Thana -PATRAKARNAGAR District- PATNA

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1. Mritunjay Dev Saket Son of Anil Kumar Resident of Village - Bibhishan Kutir, Kanti Factory Road, Opposite Shivam Vihar Apartment, P.S. - Patrakar Nagar, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sarita Maur Wife of Late Amit Kumar Maur Resident of Maur Lane, P.S. - Sultanganj, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-06-2017 Heard learned counsel for the parties.

The petitioner seeks transfer of the Sessions Trial No. 839 of 2016 arising out of Patrakar Nagar P. S. Case NO. 214 of 2016, in exercise of this Court's jurisdiction under Section 407 of the Code of Criminal Procedure, 1973.

The case has been registered against the petitioner for the offences punishable under Sections 304B, 120B/34 of the Indian Penal Code, which is presently pending in the Court of learned Fast Track Court Ist, Patna. The petitioner wants the case to be transferred to the Court of competent jurisdiction outside the District Judgeship of Patna.

On perusal of the records, I do not find that any case for transfer of the trial is made out.



The Supreme Court has repeatedly held that a criminal proceeding should not normally be transferred in exercise of power under Section 407 of the Code of Criminal Procedure, 1973.

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

(Chakradhari Sharan Singh, J)

ArunKumar/-

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