

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32755 of 2017**

Arising Out of PS.Case No. -2211 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE  
District- MUZAFFARPUR

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1. Pashupatinath Singh, son of Late Shatrudhan Prasad Singh, resident of Mohalla- Rajput Nagar Road No.1, Makan No.16, P.S.- Industrial Area, Town Hajipur, Dist- Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Ram Udgar Singh, son of Late Shatrudhan Prasad Singh, resident of Mohalla- Rajput Nagar Road No.1, Makan No.16, P.S.- Industrial Area, Town Hajipur, Dist- Vaishali. presently residing at S.N. Road, Sudhanshu Lodge, Naya Tola, P.S.- Kazi Mohammadpur, District- Muzaffarpur.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
ORAL ORDER

2      25-07-2017                      Heard learned counsel for the parties.

The petitioner is an accused of commission of the offence punishable under Sections 406, 420 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act in Complaint Case No. 2211 of 2013, pending in the Court of learned Assistant Chief Judicial Magistrate-cum-Sub Judge-10<sup>th</sup>, Muzaffarpur. He seeks transfer of the said case to Hazipur at Vaishali.

On perusal of the present application, I do not find any case for transfer under Section 407 of the Code of Criminal Procedure, 1973 is made out.



This is not in dispute that the Muzaffarpur Court has the territorial jurisdiction inasmuch as cause of action has arisen within the jurisdiction of the said. It is noticeable that the complaint petition was filed in the year 2013. The Court fails to understand why this application is being made four years after lodging of the case, in the year 2017, for transfer of the case.

This application has no merit and it is, accordingly, dismissed.

**(Chakradhari Sharan Singh, J)**

ArunKumar/-

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