

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27779 of 2017

Arising Out of PS.Case No. -92 Year- 2013 Thana -KAMTAUL District- DARBHANGA

- =====
1. Mukesh Pratihast, Son of Shyam Pratihast, Resident of Village- Pihwara, Police Station- Saharghat, District Madhubani, at present R/o at Flat No. 284, Sector 13, Pocket A, Dwaraka, New Delhi.
 2. Shyam Sundar Pratihast @ Shyam Sunder, Son of Late Kameshar Pratihast
 3. Sushila @ Moti @ Moti Devi Wife of Shyam Sundar Pratihas, Both R/o Village- Pihwara, Police Station- Saharghat, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rukmini Devi, W/o Phekan Baitha, R/o Village- Massa- Mirzapur, Police Station- Jale, District- Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 29-01-2018

Mr. Harsh Singh, learned advocate for the petitioner submits that petitioner No. 2 viz. Shyam Sundar Pratihast @ Shyam Sunder has died and, therefore, he prays for deletion of his name from the array of parties.

Let the name of petitioner No. 2 viz. Shyam Sundar Pratihast @ Shyam Sunder be deleted from the array of parties.

By the present petition, the petitioner Nos. 1 and 3 seek transfer of Trial No. 1334/2016 corresponding to G.R. No. 2250 of 2013, arising out of Kamtaul P.S. Case No. 92 of



2013, pending in the Court of learned Additional Chief Judicial Magistrate, VI, Darbhanga to any other judgeship, preferably at Patna.

The reason assigned for the aforesaid prayer of transfer of the case is that the co-villager of the informant is a practicing advocate at Darbhanga Civil Court and he has been influencing the course of justice. No proof has been given by the petitioner for substantiating the aforesaid argument.

That apart, the anticipatory bail of petitioner No. 1 has been rejected by the Hon'ble Supreme Court but still he has not surrendered to the process of law.

In that view of the matter, this Court is not inclined to entertain the present petition.

The petition is, accordingly, dismissed.

(Ashutosh Kumar, J)

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