

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23251 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Darbhanga

Chidanand Prasad Singh, S/o Raj Karan Prasad Singh @ Raj Karn Prasad R/o
village- Marpa, Sirpal (Baspitta), P.S.- Mejarganj, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kalpana Devi, W/o Chidanand Prasad, D/o Kripa Shanka Mishra Resident
of Pator, P.S.- Rameshwar Nagar, District- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Mr.Rajeev Nayan(App231)

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2019 This application has been filed for transfer of
maintenance case bearing M.R.Case No. 178 of 2018 from the
court of learned Principal Judge, Family Court, Darbhanga to
the court of learned Principal Judge, Family Court, Sitamarhi.

2. The ground for transfer is that earlier one divorce case
was filed by the petitioner and that was pending before the court
of learned Principal Judge, Family Court, Sitamarhi and O.P.No.
2 has moved before the Hon'ble Court for transfer of the same
to the Family Court, Darbhanga, but same was dismissed vide
order dated 18.08.2018 passed in M.J.C.No. 3398 of 2015
arising out Matrimonial Case No. 141 of 2015 and as such
firstly, for the sake of inconvenience and secondly, he has



apprehension to danger of life at Darbhanga, present application for transfer has been filed and petitioner admits the fact that O.P. No. 2 is residing at Darbhanga.

3. From perusal of record, it appears that no substantive case has been filed by the petitioner either before the police or the Court with respect to apprehension of danger and maintenance case has been filed by O.P.No. 2. There is nothing available on the record to show that she had her own income. Further distance between Darbhanga and Sitamarhi is not much and petitioner may easily travel the same.

4. As such I find no exceptional ground to allow this application. Accordingly, the application stands dismissed.

(Vinod Kumar Sinha, J)

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