

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1218 of 2019**

Arising Out of PS. Case No.-2100 Year-2012 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Sharawan Roy son of Late Satyanarayan Roy @ Late Surya Narayan Ray
 2. Santla Devi @ Shakuntala Devi wife of Late Satyanarayn Roy @ Late Suray Narayan Roy
Both are resident of Mirchaibari Chowk, Ward No. 8 Police Station and District- Katihar

... .. Petitioner/s

Versus

1. and Anr Bihar
2. Aarti Devi Sharawan Ray Daughter of Shree Ganesh Mahto, Resident of Mirchaibari Chowk, Ward No. 8 Police Station and District Katihar, at present residing at Shivajee Nagar, Bishunpur ward no. 40, Police Station Sadar, District- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Nand Poddar

For the Opposite Party/s : Mr.Sri Akbar Ali

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 25-06-2019 This application has been filed for transfer of

Complaint Case No.2100 of 2012 from the court of SDJM,

Begusarai to the court of SDJM, Katihar.

Petitioners happen to be husband and mother-in-law
and the O.P.no.2 is wife.

Present case has been filed by O.P.no.2. Grounds for

transfer of the case is that the petitioner no.2 is aged about 80

years and she has received fracture injury in her legs, as such

she has difficulty in attending the court at Begusarai and

further grounds are that whenever they go to Begusarai, they



are being harassed and threatened by O.P.no.2 and his family members, as such they have prayed for transfer of the case. It has also been submitted that the case is fixed for evidence but no substantial progress has been made in the case.

Heard learned APP and from perusal of the record, it appears that the present case has been filed by O.P.no.2 under Section 3/4 of the D.P.Act and other Sections of the IPC, as O.P.no.2 has been ousted from the house. It further appears that she had filed Maintenance Case No.71M/16, which was disposed of in terms of the compromise between the parties.. The petitioners have also come with a case that she left her children and also they are residing with the petitioners, however, it appears that after her ousting from the *Sasural*, she is residing at Begusarai and she has lodged a Complaint Case at Begusarai. No doubt it is stated that the petitioner no.2 is aged about 80 years having some fracture injury in the leg but it appears to be temporary and it does not appear to be ground that she is suffering from any serious ailment.

In such view of the matter, I find no merit in this application, however since the case is of the year, 2012 and pending before the SDJM, Begusarai, the learned SDJM, Begusarai is directed to proceed with the same as expeditiously



as possible and conduct it on regular basis so that it may be
disposed of as early as possible.

(Vinod Kumar Sinha, J)

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