

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34277 of 2019

Arising Out of PS. Case No.-208 Year-2017 Thana- MUFFASIL District- Aurangabad

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1. MUNESHWAR SHARMA Son of Dughwar Sharma Resident of Village - Patuna, P.S.- Khiri More, Paliganj, District- Patna
 2. Rupesh Kumar Son of Muneshwar Sharma Resident of Village - Patuna, P.S.- Khiri More, Paliganj, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjan Kumar Son of Raj Kishore Pandey Resident of Village - Chinawan Bigha, P.S.- Kutumba, District- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-06-2019 Heard learned counsel for the parties.

This application has been filed for transfer of Muffasil (Aurangabad) P.S.Case no.208 of 2017 filed under Section 406, 420 and 120(B) of the Indian Penal Code from the court of learned CJM, Aurangabad to any court of the competent jurisdiction of Patna.

The ground for transfer is that the petitioner is old man and he resides at Patna and it difficult for him to travel to Aurangabad to participate in the proceeding. It is further submitted that the goods were delivered at Muzaffarpur at the instance of the son of the petitioners, hence, there is no



jurisdiction of CJM, Aurangbad in this case.

Heard learned A.P.P. also.

From perusal of the FIR, it appears that informant filed a written application before the Officer Incharge, Aurangabad stating that he had talk with the son of the petitioners for delivery of 500 bags cement and they provided truck for the same but the goods were not delivered at Muzaffarpur and when he approached the son of the petitioners, he was abused and assaulted.

In view of the above facts, it appears that there were talks for delivery of the goods at Aurangabad and the goods were also dispatched from Aurangabad to the son of the petitioners to deliver it to Muzaffarpur .

In such view of the matter, I find no grounds for transfer of this application. Hence, this application is dismissed.

(Vinod Kumar Sinha, J)

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