

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32908 of 2018

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Amar Kishor Mehta @ Amar Kishor Kumar S/o Late Mahendra Prasad Mehta, R/o Vill.- Tonaha , P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Kiran Kumari D/o Bateshwar Mehta @ Matru, R/o Vill. Tulsiya, P.S.- Bihariganj, District- Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 30-04-2019 This application has been filed for transfer of Maintenance Case No. 103/2015 from the Family Court, Madhepura to the Family Court Araria.

Ground taken by the petitioner for transfer of above mentioned case is that the petitioner is being threatened by the family members of the opposite party no. 2, while going to court at Madhepura and also on the ground that he is a teacher at Araria and he feels difficulty in regularly attending the proceedings of Court at Madhepura.

On the other hand, learned counsel for the opposite party no. 2 has opposed the prayer of the petitioner for transfer of Maintenance Case No. 103/2015 and submitted that the



opposite party no. 2 or her family members have never threatened the petitioner and opposite party no. 2 undertakes that she or her family members will never make any threat or put pressure on the petitioner. Further submission is that the plea taken by the petitioner that he is a teacher in Araria and he feels difficulty in attending the Court at Madhepura, cannot be a ground of transfer of the said maintenance case as for attending the court either at Madhepura or at Araria, as in both event the petitioner has to take leave to attend the Court.

Having heard both sides. From perusal of the record, it appears that the petitioner has sought transfer of Maintenance Case No. 103/2015 on the above stated two grounds. However, the ground taken by him that he is being threatened while going to court, does not seem probable as he has not filed any case for the threatening given to him by opposite party no. 2 and her family members and further the opposite party no. 2 is also undertakes that she or her family members will not give any threatening to the petitioner. So far another ground that he is teacher at Araria and feels difficulty in attending the court at Madehpura is concerned, the same can also not be acceded to as the petitioner has to take leave from the school either to attend the court at Madhepura or at Araria.



In such view of the matter, this application is devoid
of any merit and the same is accordingly dismissed.

(Vinod Kumar Sinha, J)

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