

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52874 of 2019

Arising Out of PS. Case No.-557 Year-2017 Thana- KAHALGAON District- Bhagalpur

1. BRAJESH PATEL Son of Kashi Patel @ Kashi Prasad Mandal Resident of Village- Rasalpur Ekchari, P.S.- Rasalpur, District- Bhagalpur.
2. Udai Mandal Son of Late Madhav Mandal Resident of Village- Rasalpur Ekchari, P.S.- Rasalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Pawan Bhai Patel Son of Late Sita Ram Patel Resident of Village- Rasalpur, P.S.- Rasalpur, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv. Mr. Vijay Anand, Adv.
For the Opposite Party/s :		Mr. Ranjan Kumar Jha, Adv. Mr. Mritunjay Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-10-2019 Petitioners have moved this Court against the order dated 28.06.2019 passed by the learned Sessions Judge, Bhagalpur, in Cr. Misc. Petition No. 45/2019, by which, Sessions Trial No. 130/201/8 and Sessions Trial No. 400/2018 has been transferred from the court of learned Sessions Judge -VII, Bhagalpur to the court of learned Sessions Judge -IV, Bhagalpur.

Submission of learned counsel for the petitioner is that without notice to the petitioner the case has been transferred, which is against the principle of natural justice.



On the other hand, learned counsel for opposite party no. 2 has appeared and submitted that due to the serious charges, the earlier Presiding Officer has been put under suspension and disciplinary proceeding has been initiated against him by the High Court and, therefore, no purpose will be served by quashing the order.

Considering the above facts and circumstances, I am not inclined to interfere with the order passed by the learned Sessions Judge, Bhagalpur in Cr. Misc. Petition No. 45/2019, as it will only delay the trial.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

