

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5017 of 2019**

Arising Out of PS. Case No.-612 Year-2013 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Rinki Kumari wife of Ajit Kumar Sinha, D/o Sri Narendra Kumar Verma,
resident of Village+P.O.- Fatehpur, P.S.- Sheohar, Dist.- Sheohar

... .. Petitioner/s

Versus

Ajit Kumar Sinha son of Late Gopal Prasad Sinha, resident of Village-
Mahmadpur, Ward No.- 38, P.S. Sadar, Dist.- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Sandip Kumar Gautam

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

3 27-03-2019 This application has been filed for transfer of

Complaint Case No.612(C) of 2013 filed by the petitioner from
the court of Sub-Divisional Judicial Magistrate, Begusarai to the
court of Sub-Divisional Judicial Magistrate, Sheohar.

The ground for transfer of the case is that the
petitioner being a lady residing at Sheohar with her father and
she is facing severe difficulty in coming to Begusarai for
making *parvi* in this case and furthermore, the Divorce Case
No.152 of 2013 which has been filed by the husband of the
petitioner has already been transferred from the court of
Principal Judge, Family Court, Begusarai to the court of
Principal Judge, Family Court, Sheohar, and as such the
husband of the petitioner will not have any difficulty in pursuing



the case at Sheohar itself.

On the other hand, learned counsel for the opposite party has appeared and filed a counter affidavit also and submitted that the case has been filed in the year 2013 and as per direction, the opposite party is appearing regularly and paying Rs.750/- per month to the petitioner, but in spite of that not a single witness has been examined and he is also ready to cooperate in the disposal of the case.

Having heard both sides, considering the facts and circumstances of the case and also considering the fact that the petitioner is a lady and she has nobody else except her old father to look after and further considering the fact that the Divorce Case No.152 of 2013 filed by the husband of the petitioner has already been transferred to the Principal Judge, Family Court, Sheohar, as such for the ends of justice, I think it proper that Complaint Case No.612(C) of 2013 be also transferred to the court of Sub-Divisional Judicial Magistrate, Sheohar from the court of Sub-Divisional Judicial Magistrate, Begusarai.

As such, this application is allowed and the Complaint Case No.612(C) of 2013 is directed to be transferred from the court of Sub-Divisional Judicial Magistrate, Begusarai, to the court of Sub-Divisional Judicial Magistrate, Sheohar, with a



direction to the Sub-Divisional Judicial Magistrate, Sheohar, to decide the same without any further delay and without giving any unnecessary adjournment and try to conclude the trial within a period of six months. The Sub-Divisional Judicial Magistrate, Sheohar, is also directed to transmit the record at once to the court of Sub-Divisional Judicial Magistrate, Begusarai.

With the above observation, this application is allowed.

(Vinod Kumar Sinha, J)

Amjad/-

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