

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70851 of 2019

Arising Out of PS. Case No.-2158 Year-2015 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. RAFAT PARWEEN @ RAFAT PRAVEEN Wife of Md. Haidar Ali Ansari, D/O - Hamid Matin Resident of Mohalla - Rajopatti, P.S. and District- Sitamarhi
 2. Hamid Matin Son of Late Hakim Md. Noman Resident of Mohalla - Rajopatti, P.S. and District- Sitamarhi
 3. Sajid Matin @ Sajeed Matin Son of Hamid Matin Resident of Mohalla - Rajopatti, P.S. and District- Sitamarhi
 4. Shakila Bano Wife of Hamid Matin Resident of Mohalla - Rajopatti, P.S. and District- Sitamarhi
 5. Nikhat Parveen D/O - Hamid Matin Resident of Mohalla - Rajopatti, P.S. and District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Haidar Ali Ansari Son of Abdul Subhan Ansari Resident of Village - Betha, P.S.- Parihar, District- Sitamarhi. At present Resident of Mohalla - Block Colony, Motihari, Bhawanipur Jirat, P.S.- Chatauni, District- East Champaran at Motihari
3. Anjum Khatoon Wife of Abdul Subhan Ansari Resident of Village - Betha, P.S.- Parihar, District- Sitamarhi. At present Resident of Mohalla - Block Colony, Motihari, Bhawanipur Jirat, P.S.- Chatauni, District- East Champaran at Motihari
4. Md. Afjal Ansari Son of Abdul Subhan Ansari Resident of Village - Betha, P.S.- Parihar, District- Sitamarhi. At present Resident of Mohalla - Block Colony, Motihari, Bhawanipur Jirat, P.S.- Chatauni, District- East Champaran at Motihari
5. Raushan Khatoon Wife of Farman Ansari Resident of Village - Betha, P.S.- Parihar, District- Sitamarhi. At present Resident of Mohalla - Block Colony, Motihari, Bhawanipur Jirat, P.S.- Chatauni, District- East Champaran at Motihari
6. Jakullah Ansari Son of Abdul Subhan Ansari Resident of Village - Betha, P.S.- Parihar, District- Sitamarhi. At present Resident of Mohalla - Block Colony, Motihari, Bhawanipur Jirat, P.S.- Chatauni, District- East Champaran at Motihari

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Damodar Prasad Tiwary



CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-11-2019 This application has been filed for transfer of Complaint Case No. 2158 of 2015 filed by opposite party No.1 against the petitioners and others, pending in the court of A.C.J.M.-XIII, East Champaran to the court of competent jurisdiction of session division of Sitamarhi.

The ground for transfer is that two other cases have been lodged against petitioner No.1 by wife of opposite party No.2 complainant under Section 498A IPC and one maintenance case filed by petitioner No.1 pending at Sitamarhi. It has further been submitted that petitioners are not in a position to appear in the court at East Champaran, as such they have prayed for transfer of the case.

Heard learned APP also.

So far transfer of the case is concerned, it is not necessary to see the convenience of the petitioners, rather convenience of all the parties has to be seen and apart from that there is no other ground for transfer of the case.

I find no merit in this application. It is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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