

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36427 of 2021**

Arising Out of PS. Case No.-697 Year-2020 Thana- SITAMARHI District- Sitamarhi

Akhilesh Paswan S/O Yugal Paswan R/o village- Garhi Tola, P.S.- Koran
Sarai, District- Buxar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Akhilesh Kumar Pandey
For the Opposite Party : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-06-2022 Instant petition has been filed for transfer of (i)

Sitamarhi Police Station Case No. 697/2020 dated 15.12.2020

and (ii) Dumra Police Station Case No. 411 of 2020, Sitamarhi

to the Civil Court, Buxar.

Learned counsel for the petitioner submits that the petitioner is a constable (Sepoy no. 292) in Bihar Police. He submits that the petitioner is native of Buxar. Presently he is in the custody in Central Jail, Buxar and is suffering from mental ailment (Annexure 4 series). He submits that if the criminal cases pending in the Sitamarhi Civil Court is transferred to Civil Court, Buxar, it will be convenient for his family members to pursue the trial regularly.

Learned counsel for the other side opposed the prayer and submits that the aforesaid grounds made out by the



petitioner may not be the good ground for transfer of criminal case to another judicial division. Furthermore, petitioner has appended Annexure 4 series, the medical prescriptions, dated 8.12.2006 and 25.11.2020 which do not disclose the nature and gravity of the ailment of the petitioner. Thus petitioner's claim for transfer of his case is supported by no cogent ground.

Having heard learned counsel for the parties, I am in agreement of the submission of learned counsel for the other side.

This application sans merit and is accordingly dismissed.

(Prabhat Kumar Singh, J)

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