

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1452 of 2019**

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Vandana Kumari Bhagat Wife of Dipesh Chaurasiya, D/o Rajeev Kumar  
Bhagat R/o Village-Station Road, Dumraon, Ward no. 4, P.S. Dumraon,  
District-Buxar

... .. Petitioner/s

Versus

Dipesh Chaurasiya Son of Haridwar Prasad Chaurasiya R/o Alamganj, P.S.  
Sasaram (Town), District Rohtas

... .. Opposite Party/s

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**Appearance :**

|                        |   |                                                      |
|------------------------|---|------------------------------------------------------|
| For the Petitioner     | : | Mr. Anirudh Mishra,<br>Mr. Krishna Prasad, Advocates |
| For the Opposite Party | : | Mr. Saket Kumar Singh, Advocate                      |

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL JUDGMENT**

**Date : 10-11-2022**

Heard the parties.

The present petition has been filed for transfer of  
Sasaram (T) P.S. Case No. 948 of 2018 from the Court of the  
Chief Judicial Magistrate, Rohtas at Sasaram to the Court of  
Chief Judicial Magistrate, Buxar.

It has been submitted by learned counsel for the  
petitioner that marriage of the petitioner was solemnized with  
the opposite party on 23.11.2017 according to Hindu rites and  
rituals and thereafter she was tortured for non-fulfillment of  
demand dowry by the opposite party. Her husband used to come  
in the house in a drunkard condition after taking liquor and  
assault her. Under the compelling circumstances, she lodged an  
FIR bearing Sasaram (T) P.S. Case No. 948 of 2018 against the

opposite party and her in-laws. The petitioner has also filed Maintenance Case No.115 of 2018 which is pending in the Court of the Principal Judge, Family Court, Buxar for her maintenance.

Learned counsel has appeared on behalf of the opposite party but no counter affidavit has been filed controverting the statements made in the transfer petition.

Learned counsel for the petitioner has further submitted that the petitioner feels threat to her life and has been threatened by the opposite party if she comes to Sasaram to contest her case. Petitioner has no source of income and she fully depends upon her parents and as such, it is not possible for her to travel to Sasaram to contest the case.

Considering the difficulty being faced by the petitioner in travelling to Sasaram to contest the case, this application for transfer is allowed. Sasaram (T) P.S. Case No. 948 of 2018 pending in the court of the Chief Judicial Magistrate, Rohtas at Sasaram is directed to be transferred to the court of the Chief Judicial Magistrate, Buxar. The parties shall appear in the court of the Chief Judicial Magistrate, Buxar on 5<sup>th</sup> December, 2022 and thereafter the proceeding will be conducted in the court of the Chief Judicial Magistrate, Buxar. Since the petitioner has

filed Maintenance Case No.115 of 2018 in the Court of the Principal Judge, Family Court, Buxar, the opposite party is required to appear and do necessary *pairvi* in the case. The Principal Judge, Family Court, Buxar is directed to dispose of the aforesaid Maintenance Case within three months from today. If the opposite party does not cooperate in disposal of the aforesaid Maintenance case, the Principal Judge, Family Court, Buxar will proceed ex parte.

With the aforesaid observation and direction, this application is allowed.

Let a copy of this judgment be communicated to the the Court of the Chief Judicial Magistrate, Rohtas at Sasaram as well as the Principal Judge, Family Court, Buxar for its compliance forthwith.

**(Sandeep Kumar, J)**

Harsh/B.T

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| AFR/NAFR          | NAFR     |
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