

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46901 of 2024

Arising Out of PS. Case No.-457 Year-2019 Thana- ISLAMPUR District- Nalanda

Aasha Kumari W/o Ranjeet Yadav D/o Janak Yadav R/o village-Teusi, P.S.-
Atsi District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjit Kumar @ Ranjeet Yadav S/o Rajendra Yadav R/o Village-Barbigha,
P.S.-Ishlampur, District-Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Puspanjali Sharma, Adv.

For the Opposite Party/s : Mr. Sucheta Yadav, Adv.

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 24-10-2024 Heard.

2. This petition has been preferred by the petitioner for transfer of the Ishlampur P.S. Case No. 457 of 2019 for the offences punishable under Section 498A, 341, 323, 504 and 34 of the Indian Penal Code and Section 3 & 4 of the Dowry Prohibition Act which is at present pending before the learned S.D.J.M., Hilsa at Nalanda to any competent court in the district of Gaya as she is residing in Gaya.

3. It is submitted by the counsel for the petitioner that the petitioner is a lady and is residing at Gaya. The above mentioned case is pending before the learned



S.D.J.M. Hilsa at Nalanda which is about 100kms away from Gaya and being a lady the petitioner is unable to attend each and every date at Hilsa since, there is a apprehension that the O.P. - Husband will physically assault her. Therefore, it is prayed by the counsel that the above mentioned case may be transferred to any competent court within the territorial jurisdiction of Gaya district.

4. Heard learned counsel for the petitioner.
Perused the documents annexed with the petition.

5. During the course of argument, it is fairly admitted by the counsel that the above criminal case is not a complaint case rather charge-sheet has been filed by the Ishlampur P.S.

6. Since, the concerned criminal case is initiated only on the basis of charge-sheet submitted by the police therefore, there is no requirement of the petitioner to attend each and every date before the concerned trial court at Hilsa in the criminal trial. She will be required to attend the court when summoned by the trial court for recording her statement.

7. Looking to the above, I do not found any



ground on the basis of which the concerned criminal case
can be transferred from Hilsa to Gaya.

8. Accordingly, this transfer petition is dismissed
at admission stage itself having no merit.

(Arvind Singh Chandel , J)

Siddharth Soni/-

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