

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39381 of 2023**

Arising Out of PS. Case No.-279 Year-2022 Thana- HASPURA District- Aurangabad

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Anju Kumari Wife Of Subhash Kumar Resident Of Village- Paharpura, Po And Ps- Haspupra, District- Aurangabad, Presently Resides At R/O- R/O-Vill- Rasulpur, Po- Awagila, Ps- Parasbigha, District- Jehanbad

... .. Petitioner/s

Versus

Subhash Kumar Son of Birendra Singh R/O-Vill- Paharpura, Po And Ps- Haspupra, District- Aurangabad, Presently Posted At Chief Cruw Controller, Jakhapura As A Assistant Loco-Pilot, Resides At East Coast Railway, Khurda Road Division, Pin Code 755026, Odisha

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey, Advocate  
For the Opposite Party/s : Mr. Pintu Kumar Patel,

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**CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI**  
**ORAL ORDER**

11    04-04-2025                      In spite of service of notice upon the opposite party/accused persons, the learned Advocate appearing on behalf of the opposite parties is not present. Therefore, the instant application is taken up in the presence of the learned Advocate appearing on behalf of the petitioner.

2. The petitioner is the informant in connection with Haspura, P.S. Case No. 279/2022, corresponding to G.R. No. 1079/2021, filed under Sections 341/323/498(A)/379/504 and 34 of the IPC. The P.S. Haspura is within the District of Aurangabad, and on filing a charge sheet in the above-mentioned case, the learned Magistrate at Aurangabad took cognizance of offence against the accused persons.



3. Now, it is contended by the petitioner that at the time of lodging the complaint before the jurisdictional police station, she used to reside at her matrimonial home within the jurisdiction of the Aurangabad criminal court. However, at present, she has been residing at her paternal home at Jehanabad. Jehanabad is situated at a distance of around 60 km from Aurangabad. The petitioner has no source of income, and it is difficult for her to conduct the case at Aurangabad because of the distance.

4. It is also further contended on behalf of the petitioner that the petitioner apprehends that if she goes to Aurangabad, she may be heckled and manhandled by the opposite parties.

5. I have duly considered the submission made by the learned Advocate on behalf of the petitioner.

6. In order to decide an application for transfer of a case from one court to another, the prime consideration of the Court is the benefit of the lady who is the informant in a case under Section 498(A) of the IPC along with other coordinate provisions. Considering the fact that the petitioner has now been residing at Jehanabad and all the opposite parties will not have much difficulty attending the court at Jehanabad, traveling a



distance of 60 km. The case being Haspura P.S. Case No. 279/2022 corresponding to G.R. No. 1079/2021 pending before the Sub-Divisional Magistrate, Daudnagar, Aurangabad be transferred to the court of the Sub-Divisional Judicial Magistrate at Jehanabad.

7. The instant application is thus disposed of.

**(Bibek Chaudhuri, J)**

Suraj Dubey/-

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