

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82648 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- MUNGER COMPLAINT CASE
District- Munger

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Amisha Kumari D/o- Indranand Poddar, R/v - Pachira W.No. - 8, PS-
Raniganj, Dist- Araria.

... .. Petitioner

Versus

1. The State of Bihar.
2. Mukesh Kumar Poddar S/o- Late Raj Kumar Poddar, R/v- Bekapur, W.No-
25, PS- Kotwali, Dist- Munger, PIN - 811211.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-01-2026 Heard learned counsel for the parties.

2. The instant case has been filed seeking transfer of matrimonial case filed under Section 9 of Hindu Marriage Act *vide* Restitution of Conjugal Rites Case No. 127 of 2025 before the Court of learned Principal Judge, Family Court, Munger to the jurisdiction of Family Court, Araria.

3. For transfer of such case, the petitioner is supposed to file a Miscellaneous Jurisdiction Case and not approach this Court in Criminal Miscellaneous. It is surprising that office has not pointed out this defect and there is gross negligence on the part of the office.

4. Office is directed to furnish an explanation for placing this matter before this Court without pointing out the



said defect.

5. At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition and file an appropriate application in appropriate proceeding.

6. Permission, as prayed for, is accorded.

7. Accordingly, the present petition is dismissed as withdrawn with liberty as aforesaid.

8. Certified copies will be returned to the petitioner with substitution of their true copies.

(Arun Kumar Jha, J)

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