

IN THE COURT OF SESSIONS JUDGE, PATNA
Criminal Misc. (Transfer) Case No. 32 of 2026

Dr. Sabiha Ahmed, W/o Ataur Rahman
R/o:-C-4, Al-Nazir Complex, Dariyapur, Sabzibagh,
P.O.- Bankipore, District- Patna

..... **Petitioner**

Versus

1. The State of Bihar
2. Ataur Ramhan

..... **Opposite Party**

Counsel for the Petitioner : Sri Sunil Kumar, Advocate

Counsel for the State : Sri Rajesh Kumar, P.P.

ORDER

08.04.2026

1. The present criminal miscellaneous transfer application has been filed by the **petitioner-complainant, Dr. Sabiha Ahmed**, under Section 408 of the Code of Criminal Procedure, corresponding to Section 448 of the Bharatiya Nyaya Sanhita, 2023 (BNSS), seeking transfer of D.V. Case No.101/2023, presently pending before the Court of Sri Chandan Kumar Verma, learned ACJM-VII, Patna, to another competent court for adjudication.
2. Heard learned counsel for the petitioner, learned Public Prosecutor for the State, and have also taken into consideration the report submitted by the Court of learned ACJM-VII, Patna.
3. A report had earlier been requisitioned from the Court of Sri Chandan Kumar Verma, learned ACJM-VII, Patna, which is available on record.
4. Learned counsel for the petitioner submitted that the present petition has been filed on the ground that the opposite party wields undue influence over the learned ACJM-VII, Patna. On multiple occasions, the Presiding Officer has demonstrated a reluctance to hear the petitioner's case, as reflected in the complaint, while appearing to favour the opposite party. Learned counsel further contended that Opposite Party No. 2 has openly declared outside the court that the petitioner is bound to lose her case owing to his influence over the Presiding Officer. Lastly, it was submitted that the petitioner has personally observed gestures and conduct of the Presiding Officer which indicate the influence exercised by the opposite party.
5. Per contra, the learned Public Prosecutor opposed the prayer for transfer, submitting that the grounds advanced are wholly insufficient to justify such relief.
6. Learned ACJM-VII, Patna, in its report, in response to paragraph 4 of the petition stated that upon assuming charge of the Court, and at the petitioner's request, the matter was placed on the priority list for urgent hearing. He then set out the chronology of dates on which the case

IN THE COURT OF SESSIONS JUDGE, PATNA
Criminal Misc. (Transfer) Case No. 32 of 2026

was listed - 15.04.2025, 09.06.2025, 18.06.2025, 14.07.2025, 21.07.2025, 02.08.2025, and 25.08.2025. On 25.08.2025, the petitioner filed a petition which was disposed of on 27.08.2025, and on the same date another petition under Section 23 of the D.V. Act, 2005 was filed. The matter was subsequently listed on 18.10.2025, 13.11.2025, 25.11.2025, 10.12.2025, and 23.12.2025, on which date the petition dated 27.08.2025 was ordered.

7. The learned ACJM-VII further clarified that all orders of the Court were dictated in open court after hearing both parties at length, and were passed solely on the merits of the case. At no point did the Court exhibit any gesture of unwillingness to hear the petitioner, as alleged. He categorically stated that the assertions made in paragraph 4 of the petition are entirely false. In reply to paragraph 5, he submitted that the petitioner's allegations are nothing more than a cheap tactic intended to malign the image of the Court. In response to paragraph 6, he added that such allegations are merely pressure tactics employed to secure a favourable order.
8. Upon consideration of the facts and circumstances of the case, and after perusal of the report submitted by the learned ACJM-VII, Patna, this Court finds that the present transfer application lacks merit. No sufficient ground has been established to justify transfer of D.V. Case No. 101/2023 to another court.
9. Accordingly, this Criminal Miscellaneous Transfer Application stands **dismissed**.

(Dictated)

Sd/-

(Rupesh Deo)
Sessions Judge, Patna

Date of Order	08.04.2026
Date of Reserving Order	26.03.2026
Uploading Date	10.04.2026
Uploaded by	Vinod/-