



BRPA010098942026

**IN THE COURT OF SESSIONS JUDGE, PATNA.
Criminal Misc. (Transfer) Case No. 197 of 2026**

**Rajnandan Sharma, S/o Late Sidheshwar Sharma
R/o:-Village- Bahuara, P.S.- Naubatpur, District- Patna**

..... **Petitioner**

Versus

The State of Bihar

..... **Opposite Party**

**Counsel for the Petitioner :-Sri Subodh Kumar, Advocate,
Counsel for the State :-Sri Rajesh Kumar, P.P.**

ORDER

30.06.2026

1. The present Criminal Miscellaneous (Transfer) application has been filed under Section 448 of the Bharatiya Nagarik Suraksha Sanhita, 2023, by the petitioner, Rajnandan Sharma (grandfather of the informant), seeking transfer of Sessions Trial No. 2488/2008, arising out of Naubatpur P.S. Case No. 61/2008, from the Court of the learned Additional Sessions Judge-VIII, Danapur, to the Court of the learned Additional Sessions Judge-V, Danapur, for hearing and disposal.
2. Heard learned counsel appearing for the petitioner and the learned Public Prosecutor representing the State.
3. Learned counsel for the petitioner submits that the trial is presently at the stage of final arguments. It is pointed out that the learned Additional Sessions Judge-V, Danapur, had already heard arguments on five to six occasions before the matter was transferred to the Court of the learned Additional Sessions Judge-VIII, Danapur, by an administrative order. Since the learned Additional Sessions Judge-V is more familiar with the facts of the case, it is urged that

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transfer back to that Court would serve the interest of justice and ensure expeditious disposal. It is further submitted that the Court of the learned Additional Sessions Judge-VIII, Danapur, is presently vacant.

4. This Court accordingly sought reports from the Court of the learned Additional Sessions Judge-VIII, Danapur, as well as from the Administrative Officer, which have been received and placed on record.

5. The Successor Court of the learned Additional Sessions Judge-VIII, Danapur, has clarified in its report that Sessions Trial No. 2488/2008 is pending before it and fixed for final arguments. The report further notes, on the basis of order sheets, that the matter was earlier before the learned Additional Sessions Judge-V, Danapur, where it remained at the stage of arguments for 93 dates, with final arguments heard on approximately 31 occasions. Subsequently, the case was transferred to the Court of the learned Additional Sessions Judge-VIII, Danapur, pursuant to Memo No. 12292-12305 issued by the learned Sessions Judge, Patna.

6. The administrative office report confirms that the record was transferred from the Court of the learned Additional Sessions Judge-V, Danapur, to the Court of the learned Additional Sessions Judge-VIII, Danapur, upon the joining of a new Presiding Officer at the Civil Court, Danapur, during the Annual General Transfer 2026.

7. The learned Public Prosecutor has stated that the State has no objection to the prayer for transfer.

8. Considering the facts and circumstances, as well as the reports submitted and the submissions of learned counsel, this Court is of the view that no prejudice would be caused to the accused. The application merely seeks transfer of the trial, which does not affect substantive rights. It is well settled that a litigant has no vested right to choose a particular Court. However, in the present case, transfer is warranted to ensure speedy disposal.

9. Accordingly, the Criminal Miscellaneous (Transfer) application is **allowed**.

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It is directed that the record of Sessions Trial No. 2488/2008, arising out of Naubatpur P.S. Case No. 61/2008, be recalled from the Court of the learned Additional Sessions Judge-VIII, Danapur, and transferred to the Court of the learned Additional Sessions Judge-V, Danapur, for hearing and disposal.

(Dictated)

Sd/-

(Rupesh Deo)
Sessions Judge, Patna

Date of Order	30.06.2026
Date of Reserving Order	20.06.2026
Uploading Date	30.06.2026
Uploaded by	Vinod/-