

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39776 of 2016

Arising Out of PS.Case No. -218 Year- 2015 Thana -CHAPRA TOWN District- SARAN

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1. Vinay Kumar, Son of Daya Nand Bhagat,
2. Baleshwar Singh, Son of Late Rameshwar Bhagat.
3. Reena Devi @ Reena Kumari, Wife of Vinay Kumar. All, are Residents of Village- Bhero Khauda, Post Office- Bhero Khauda, Police Station- Patepur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arun Kumar Tiwari, Son of Nitya Nand Tiwari, Resident of Village- Chapra, Mohalla- Madho Tiwari Lane, Salempur, Police Station Town Police Chapra, District- Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Advocate
For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 13-12-2016 The only plea, which has been taken for transfer of case arising out of Saran (Chapra) Town P.S. Case No. 218 of 2015 from the court of learned Chief Judicial Magistrate, Saran at Chapra to the court of learned Additional Chief Judicial Magistrate, Benipatti, Madhubani in the present application under Section 407 of the Code of Criminal Procedure is that the informant is resident of Chapra and the petitioners have risk on their life and their control to attend the court at Chapra. It has also been submitted that the petitioners have made such grievance before the Superintendent of Police, Chapra through his



representation dated 28.07.2016 stating that an untoward incident might take place, at the instance of the informant, while attending court at Chapra.

I do not think the petitioners have been able to make out a case for transfer of the matter from Chapra court to Benipatti court at Madhubani. However, if the petitioners have any genuine apprehension, as indicated in his representation, addressed to the Superintendent of Police, it is observed that as and when they approach the Officer-in-charge of the concerned Police Station, they shall be provided with due protection for their appearance in the court.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

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