

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15774 of 2016

Arising Out of PS.Case No. -224 Year- 2014 Thana -PATNA COMPLAINT CASE

District- LAKHISARAI

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1. Priti Kumari, Wife of Shri Rajeev Ranjan Mehta @ Banti,
Daughter of Shri Jay Shankar Prasad, Resident of Ward No.
12, Naya Tola (Lakhisarai), Post- Purani Bazar, P.S.- Town
Thana, District – Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. Rajeev Ranjan Mehta @ Banti, Son of Late Sheo Shankar
Mahto (Husband).
 3. Sanjeev Nirranjan Mehta @ Vikki, Son of Late Sheo
Shankar Mahto (Devar).
 4. Smt. Shaila Devi, Wife of Late Sheo Shankar Mahto
(Mother in Law).
 5. Tinkle Kumari, Daughter of Late Sheo Shankar Mahto
(Younger Nanad).
- All resident of – Ramtola, P.O.-Hathidah, P.S.-Hathidah,
Distt.-Patna.
6. Rachna Devi @ Rinki, Daughter of Late Sheo Shankar
Mahto (Elder Nanad), Wife of Shri Amarnath Mandal,
Resident of Village - Atauna - Mananpur, P.S.- Chanan,
District – Lakhisarai, present residing at Ramtola, P.O. &
P.S.- Hathidah, District – Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Nivas Madhuvan

For the Opposite Party/s : Mr. Narendra Kumar Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

4 06-12-2016 Heard the parties.

This application, under Section 407 (1) (C) (iii), of the Code of Criminal Procedure, 1973, has been filed seeking transfer of Compliant Case No. 224 (C) of 2014, registered for the offences punishable under Sections 498A, 342, 307, 323, 406, 506 and 109 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, from the Court of learned Sub-Divisional Judicial Magistrate, Barh, to the Court of learned Sub-Divisional Judicial Magistrate, Lakhisarai.

The petitioner herself has filed the said complaint case in which opposite party No. 2, her husband, and other in-laws have been implicated as accused. It is the case of the petitioner that since she has been compelled to reside with her father, at Lakhisarai, it would be more convenient for her to pursue the matter if the case is transferred to the Court of Lakhisarai.

My attention has been drawn to the statement made in paragraph 17 of the application in which it has been averred that the in-laws had been threatening the petitioner and she has serious apprehension and threat on her child's



life, if she is compelled to travel from Lakhisarai to Barh. The opposite parties are residents of Hathidah, which is in between Lakhisarai and Barh.

I am afraid, this cannot be a ground for transfer of a case lodged by the petitioner herself.

Further, if the petitioner apprehends any threat or danger in pursuing her case at Barh, she may approach the Superintendent of Police for adequate protection. If she does so, the Superintendent of Police will see to it that she is provided adequate protection.

With the above observation, this application stands disposed of.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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