

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.243 of 2018

Arising Out of PS.Case No. -124 Year- 2010 Thana -BUDDHACOLONY
District- PATNA

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Vishnu Kumar Agrawal, son of Umesh Kumar Agrawal,
Resident of Mohalla- Amgola, P.S.- Kazi Mohammadpur,
District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Hemant @ Ajay Kumar Pandey, son of Sita Ram Pandey,
Resident of Mohalla- Chauk Mithanpura, P.S.- Mithanpura,
District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the State : Mrs. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 31-01-2018 The petitioner, who is the victim, has filed the present petition seeking transfer of Sessions Trial No. 394 of 2011 from the Judgeship of Patna to any Court of competent jurisdiction at Muzaffarpur.

It has been submitted on behalf of the petitioner that both, the petitioner and the opposite party No. 2 (the accused facing trial in the subject case) are residents of Muzaffarpur and the opposite party No. 2 threatens the



petitioner of dire consequences every time.

This Court is at a loss to understand as to how the transfer of the sessions trial from Patna to Muzaffarpur, under such circumstances, would fetch any relief to the petitioner. Even if the case is transferred from Patna to Muzaffarpur, the fear in the mind of the petitioner would continue and remain unalleviated as the petitioner and the opposite party No. 2 reside in the same town. It would only be in the interest of the petitioner that the case is contested at a place different from where opposite party No. 2 resides.

For the aforesaid reason, this Court finds no merit in the present petition and, hence, it is dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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