

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43211 of 2019**

Arising Out of PS. Case No.-18 Year-2017 Thana- MAHILA P.S. District- Lakhisarai

ANJU KUMARI D/O Parmandand Sah Resident of Village - and P.O.- Sakh,
P.S.- Mufassil, Dist.- Begusarai.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kanhaiya Kumar Son of Ramanand @ Ramnandan Sah Resident of Village -
Main Road Naya Bazar, In front of Mahindra Show Room, P.S.- Kabaiya,
Dist.- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad
For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2019 This application has been filed for transfer of Lakhisarai
(Mahila) P.S. Case No. 18/2017, filed under Sections 498(A), 506,
406/34 of the Indian Penal Code and Section 3 /4 of the Dowry
Prohibition Act from the court of learned S.D.J.M., Lakhisarai to the
Court of S.D.J.M., Begusarai.

Ground for transfer is that accused persons including
opposite party no. 2 has been granted bail in this case and after
release, they are now threatening the petitioner and she is
apprehending danger in attending the proceeding of court at
Lakhisarai but it appears that the petitioner has not filed any
substantive case with regard to threatening give by opposite party no.
2 and others. On the other hand, it appears that the case is fixed for
evidence and one witness has already been examined.



Further submission is that she is residing at Begusarai and the witnesses are also of the Begusarai district, as such, she is facing difficulty in attending the court at Lakhisarai on all the dates.

Heard learned APP also.

Having heard both sides, from perusal of the record, it appears that it is a police case and the trial is at the stage of evidence and one witness has already been examined.

Considering the facts and circumstances of the case, I do not find any merit in this application and the same is accordingly dismissed.

However, it is open to the petitioner that if she has any apprehension from opposite party no. 2 and others, she may approach to the Superintendent of Police, Lakhisarai, who if finds the allegation true on enquiry, shall provide sufficient protection to the petitioner during trial.

(Vinod Kumar Sinha, J)

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