

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25878 of 2018

Arising Out of PS. Case No.-333 Year-2015 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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AMAR KISHOR MEHTA @ AMAR KISHOR KUMAR S/o Late Mahendra Prasad Mehta, Resident of Village Tonaha P.S. Bhargama, District- Araria.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Kiran Kumari, D/o Bateshwar Mehta @ Matru Resident of Village Tulsiya, P.S. Bihariganj, District- Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 08-02-2019 This application has been filed for transfer of Complaint Case No.333 of 2015 from the court of Judicial Magistrate Ist class, Madhepura to any competent court of Araria sessions division.

2. The grounds for transfer of the case on behalf of the petitioner is that the petitioner apprehends danger to his life at Udakishanganj and he has filed application before the court concerned, which is Annexure 5 to the petition and further the petitioner has lodged a case making jurisdiction of Madhepura division though it is in Araria division.

3. On the other hand the learned counsel for the O.P.no.2 appeared on notice by filing Vakalatnama and filed a



counter affidavit stating that before examination of the witnesses, the case is fixed for framing of the charge and so far apprehension of the petitioner is concerned, it is submitted that the application was filed on 6.2.2018 and nothing has happened since then and no application has been filed to any police officer and it has been made with a view to transfer the case from the jurisdiction of Madhepura sessions division to Araria sessions division.

4. Having heard both sides and from perusal of the record, though it appears that one petition has been filed by the petitioner before the court apprehending danger but there is no order on that petition and further does not appear from the record that he has placed any application or he has filed any application before the Officer Incharge or the Superintendent of Police.

5. In such view of the matter, I find no merit in this application, as such this transfer petition is dismissed.

(Vinod Kumar Sinha, J)

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