

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34688 of 2021

Arising Out of PS. Case No.-470 Year-2007 Thana- PATNA COMPLAINT CASE District-
Patna

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Shambhu Nath Gupta Son Of Late Harihar Prasad Resident Of Mohalla -
Junjhunwala Road, Sadar Bazar, P.S.- Danapur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vikash Kumar Son of Sri Bijay Shanker Prasad Resident of Sadar Bazar,
P.S.- Danapur, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar, Advocate

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2022 Instant petition has been filed for transfer of Criminal

Appeal nos. 83 and 84 of 2019 from Danapur Civil Court to

Patna Sadar Civil Court.

Learned counsel for the petitioner submits that the
petitioner has serious apprehension that he cannot get justice
from the Danapur civil court as opposite party no.2 Vikash
Kumar is Income tax advocate at Danapur Civil Court and has
good relation with the advocates and the court staff of the said
Court and as such he can influence the process of the Court.
Further, petitioner is a respectable person and was the president
of the Roniyar Vaishya Panchayat Samiti and there is rivalry
between the parties for the official post of the Roniyar Vaishya



Panchayat Samiti.

Learned counsel for the other side opposed the prayer and submits that mere apprehension which is based on no evidence cannot be a ground for transfer of the case.

Heard learned counsel for the petitioner and the State.

In absence of any document or a chit of paper, mere apprehension of the petitioner is no ground for transfer of the case. Apprehension of not getting justice from the Danapur court is imaginary based on conjectures and surmises. This application sans merit and is accordingly dismissed.

(Prabhat Kumar Singh, J)

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