

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41900 of 2015

Arising Out of PS.Case No. -376 Year- 2014 Thana -SAMASTIPUR COMPLAINT
CASE District- SAMASTIPUR

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Tinku Kumar @ Tinku Paswan, son of Sri Jamun Paswan,
resident of Village- Dhurlakh, P.S.- Samastipur (Muffassil)
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arjun Paswan, son of Sri Mangal Paswan, resident of
Village- Bishanpur Bande, P.S.- Samastipur (Muffassil)
District- Samastipur.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar No.1, A.P.P.

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

ORAL ORDER

2 16-09-2015 Heard learned counsel for the petitioner and
learned Assistant Public Prosecutor for the State.

This is petitioner's second attempt for grant of
anticipatory bail, in connection with Complaint Case No.
376 of 2014 (T.R. No. 980 of 2015), disclosing offences
under Sections 406 and 417 of the Indian Penal Code
and Section 138 of the Negotiable Instrument Act.

The petitioner had earlier approached this Court for grant of anticipatory bail by filing Cr. Misc. No. 8690 of 2015, which came to be rejected by an order, dated 30.07.2015.

It appears from the order, dated 30.07.2015, passed in Cr. Misc. No. 8690 of 2015, that in order to facilitate negotiated settlement between the parties, while granting interim protection to the petitioner, the matter was referred to the Patna High Court, Mediation Centre by this Court. The petitioner failed to comply with the said order, dated 30.07.2015, and refused to appear before the Patna High Court, Mediation Centre, despite specific direction of this Court, dated 19.03.2015, passed in Cr. Misc. No. 8690 of 2015. It further appears that while rejecting the petitioner's application, seeking anticipatory bail, by the said order, dated 30.07.2015, he was directed by this Court to surrender before the court below, within a period of six weeks. The petitioner has failed to comply with even that part of the order.

Having regard to the facts and circumstances of the case, I am of the considered view that the petitioner does not deserve the privilege of anticipatory bail. This application is, accordingly, rejected.

The petitioner, abovenamed, is directed to appear before the court below, in connection with Complaint Case No. 376 of 2014 (Trial No. 980 of 2015) pending before learned Judicial Magistrate, Ist Class, Samastipur, within a period of two weeks from today. It will be open to him to seek regular bail, if so advised.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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