

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.400 of 2020

Arising Out of PS. Case No.-52 Year-2019 Thana- SIWAN COMPLAINT CASE District-
Siwan

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DINESH KUMAR GIRI S/o Late Chandrama Giri, Village- Angota, P.O.-
Mirzapur, P.S.- Nautan, District- Siwan.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Om Prakash Srivastava S/o Awadhesh Prasad Srivastava, R/o village- Jafra,
P.O.- Sarave, P.S.- Siwan, District- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashish Giri

For the Opposite Party/s : Mr.Tarun Prasad Mandal

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

13 27-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner and the

learned counsel for the complainant as well as Additional Public

Prosecutor for the State.

The petitioner apprehends his arrest in connection

with Complaint Case No. 52 of 2019 registered for offence

punishable under section 406 of the Indian Penal Code and

section 138 of the N.I. Act.

Vide order dated 11.05.2022, the petitioner was

directed to furnish an affidavit, disclosing the details of land



transaction mentioned in paragraph No. 16 of the bail petition.

The office report shows that no affidavit has been filed.

The learned counsel for the petitioner has submitted that the reason for non-filing of the required affidavit is that his client has not contacted him.

It has been submitted by the learned counsel for the complainant that the matter was referred to the Patna High Court Mediation and Conciliation Center, but the petitioner did not appear even on single date, which shows the reluctance and apathy of the petitioner.

In these circumstances, the petitioner does not deserve the privileges for anticipatory bail and accordingly, his prayer for anticipatory bail is rejected.

(Nawneet Kumar Pandey, J)

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