

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72070 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- CHAPRA RAIL P.S. District- Saran

MANOJ SINGH Son of Digar Singh Resident of Village - Pipal Pokhra No.2,
Fathethpur P.O.- Fathehpur, P.s.- Haldwani, Distt.- Nainital, State -
Uttarakhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Aggarwal, Sr. Advocate
	:	Mr. Kumar Binode Bariar, Advocate
For the Opposite Party/s	:	Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-08-2022 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 354 of the
Indian Penal Code and 11 and 12 of the POCSO Act.

Learned senior counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that she along with her 10-year-old daughter
was travelling in the train in which this petitioner, who is an
army personnel, was also travelling and was showing his private
parts from afternoon to evening to her daughter and was making
indecent gesture, it is next alleged that even co-passengers
reprimanded the petitioner for this act.



Learned senior counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner is an army personnel and he knows what discipline and honour is, it is next submitted that the informant was a very quarrelsome lady and had some dispute with respect to sitting arrangement. Learned senior counsel next submitted that when the petitioner got introduced to the husband of the informant, they started discussing about India, it is next submitted that husband of the informant was giving some comments which had anti-India tenor on which the petitioner objected which led to an altercation, the learned senior counsel next submits that it absolutely does not stand to reason that if what has been alleged is true then right from afternoon till night if the petitioner was indulging in such indecent and inappropriate act then who were the passengers who reprimanded him. The learned senior counsel next submits that even police personnel are present in the compartment but no such complaint was made, it is further submitted that it absolutely does not stand to reason that an army personnel who protects our country and does duty at the border would indulge in such an indecent act.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

Considering the submissions made by the learned senior counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rail P.S. Chhapra Case No. 94 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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