

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59560 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- PATLIPUTRA RAIL P.S. District- Patna

Nankchand, (Army Man -19), Male, aged about 43 years, Son of Ganga Ram,
Resident of Village - Ghunj Jhuma, P.S. - Jogendra Nagar, District - Mandi
(H.P.), Graindiyars, posted in Assam PNR No. 6617627366 Barth-11

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Kanchan Kumari, Advocate
For the Opposite Party : Mr. Ramesh Chandra, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 05-12-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any,
within a period of three weeks from today.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Rail Patliputra P.S. Case No. 23 of 2023
dated 02.05.2023 registered for the offences punishable
under Section 354 of the I.P.C. and Section 37 of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

4. As per the prosecution case, the petitioner



having drunk is alleged to have outraged the modesty of the informant during the course of the runny train.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner is an Army man posted in the State of Assam. He is a very gentleman and well-wisher of society. There is no recovery of any liquor from his possession as per statement of the victim recorded under Section 161 of the Cr.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Rail Patliputra P.S. Case No. 23 of 2023, subject to the condition



as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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