

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71024 of 2025

Arising Out of PS. Case No.-339 Year-2025 Thana- BUDDHACOLONY District- Patna

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Harminder Singh @ Harminder Singh Dadiala @ Raja S/O Harbhajan Singh
Resident of A-83, Tagore Garden Ext., Tagore Garden, P.S.- Tilak Nagar, West
Delhi, Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 15-10-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Buddha Colony Police Station Case No. 339 of 2025, dated 12.08.2025, disclosing offences punishable under Sections 115(2)/126(2)/74/352/3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 37 of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the informant is a student, preparing for BPSC and used to live in Sunrise Girls Hostel. On 11.08.2025, at about 11:30 to 12, when the informant went on the roof, she saw the petitioner, along with others, were



consuming liquor. The informant went to the roof of the Girls' Hostel, where the petitioner tried to outrage her modesty and misbehaved and when the informant called her friends, they abused and assaulted her.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case only because he happens to be the friend of the house owner. There was a dispute between the house owner and the informant regarding payment of rent and when the house owner asked her to vacate the premises, the present false case has been lodged by the informant. He further argued that there was no intention on the part of the petitioner or any other person, including his friend, Shivam Kumar, who is the house owner, to outrage the modesty of the informant, however, the informant willingly came to the roof, where the birthday celebration of the friend of the house owner was going on and committed nuisance. Nobody used any filthy language against the informant. Lot of girls are residing in the hostel, but no one objected the birthday party, except the informant.
5. Regards being had to the submissions advanced on behalf



of the parties and taking into consideration the fact that the petitioner, along with others, was consuming liquor on the roof of the Girls’ Hostel and one of the co-accused Shivam Kumar was found having consumed liquor as per the test report, annexed with the First Information Report, I am not inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, dismissed.
- 7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, without being prejudiced by the rejection of the present anticipatory bail application of the petitioner by this Court.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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