

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.16450 of 2021**

Arising Out of PS. Case No.-28 Year-2017 Thana- PURUSHOTTAMPUR District- West  
Champaran

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1. PRINCE KUMAR Son of Nageshwar Patel Resident of Village and Police Station - Balthar, District - West Champaran.
  2. Rahul Kumar Son of Madhav Patel Resident of Village and Police Station - Balthar, District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

3      11-01-2022                      This matter has been taken up for hearing online  
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioners and learned  
APP for the State.

Learned counsel for the petitioners is expected to  
honour his undertaking to remove the defects as pointed out by  
the office when called upon to do so by the office.

The instant application for anticipatory bail has been  
filed by the petitioners apprehending their arrest in connection  
with Purshottampur P.S. Case no. 28 of 2017 instituted for the  
offence under Sections 376 and 511 of the Indian Penal Code  
and Section 8 of the POCSO Act.



As per allegation in the FIR, both the petitioners have passed filthy comments upon the informant, namely Nikki Kumari, aged about 14 years, when she was returning from her coaching class and on protest they tried to outrage her modesty.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. After finding the case true, final form has been submitted in this case, which is Annexure-2 to the petition. Cognizance has also been taken against the petitioners and other accused persons, which is Annexure-3.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that this is not a fit case for granting anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is not inclined to enlarge the petitioners on bail. The application for bail is rejected.

**(Sunil Kumar Panwar, J)**

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