

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1859 of 2018

Arising Out of PS. Case No.-105 Year-2017 Thana- ROHTAS District- Rohtas

Jakir Alam son of Tabarak Hajam @ Md. Tabarak Ali resident of village Uchaila, Jalalabad, P.S. & District Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. SRI NAND KISHORE PD

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2018 Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 366(A) and 120B of the IPC and Sections 4 and 8 of Protection of Children from Sexual offences Act.

The prosecution case as per the written report of Ashok Singh before the S.H.O., Rohtas Police Station dated 14.4.2017 is to the effect that on the same day the informant and his wife had gone to agricultural field at Sondil, while their daughter aged about 14 years was in the house. On return the informant found his daughter missing and when he inquired from the younger brother's wife, she conveyed that at about 1 P.M. the informant's daughter had gone with school bag. Thereafter the informant searched for her and came to know that co-accused



Wajir Alam had enticed away his daughter on the pretext of marriage.

It is submitted by learned counsel for the petitioner that the as per own admission of the informant, thrust of accusation is against co-accused Wajir Alam. The victim got her age recorded as 18 years in statement under Section 164 of the Cr.P.C. and the court assessed her age as such, where she stated that she of her own went with co accused Wajir Alam and stayed with him at Delhi. The victim has not named the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that accusation is specific against the petitioner.

Considering the fact that the specific accusation is against co-accused Wajir Alam and the statement of victim under section 164 of the Cr.P.C., coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge-cum-Special Court,



POCSO Act, Rohtas at Sasaram, in connection with Rohtas
P.S. Case No.105 of 2017, subject to the conditions laid down in
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

