

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Revision No.536 of 2018**

=====

Sabir Ahmad, son of Pir Mohammad, Resident of Village- Nimiyatikri Uchaila, Police Station- Rohtas, District- Rohtas at Sasaram At present Resident of Village- Akbarpur, Police Station- Rohtas, District- Rohtas at Sasaram (under the guardianship of his father Pir Mohammad son of Abdul Satar, resident of village - Nimiyatikri Uchaila, Police Station- Rohtas, District- Rohtas at Sasaram).

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Respondent/s : Mr. Ramchandra Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3/ 22-05-2018

Heard learned counsel for the petitioner and learned

counsel for the State.

This revision application has been filed against the judgment and order dated 05.04.2018 passed in Cr. Appeal No. 24 of 2018 by the Learned Additional District and Sessions Judge-1<sup>st</sup>, Rohtas at Sasaram in J.J.B. Case No.1 of 2018 in connection with Rohtas P.S. Case no. 204 of 2017 instituted for the offence under Section 376(gh) of the Indian Penal Code, Section 4/8 of Protection of Childeren from Sexual Offences Act, 2012 and Section 3(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Perused the order of Principal Magistrate, Juvenile



Justice Board as well as the Appellate Court.

From the allegation in the written report, it appears that there is specific allegation against co-accused Saif and Kannu Ahmad of committing rape with the victim girl. The victim girl has given her statement under Section 164 Cr. P.C. wherein she has levelled specific allegation against Saif and Kannu Ahmad of committing rape with her. There is general and omnibus allegation against this petitioner that he pushed the victim girl.

It has been submitted that petitioner is in custody since 19.07.2017.

In such circumstances, the orders passed by the Principal Magistrate, Juvenile Justice Board as well as the Learned Additional District and Sessions Judge-1<sup>st</sup>, Rohtas at Sasaram are hereby set aside.

Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Principal Magistrate, Juvenile Justice Board, Rohtas at Sasaram** in connection with J.J.B. Case No.1 of 2018 arising out of Rohtas P.S. Case No.204 of 2017, subject to the condition that one of the bailors will be the close relatives of the petitioner and another will be father of the petitioner.



This Cr. Revision Application stands allowed.

**(Sanjay Priya, J)**

S.Ali/-  
Rohit Kr.

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

