

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.70809 of 2018**

Arising Out of PS. Case No.-157 Year-2018 Thana- ROHTAS District- Rohtas

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Gulam Sarwar, Son of Late Nausad Khan, Resident of Village- Shivpur  
Uchaila, Akbarpur, P.S.- Rohtas, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sada Nand Roy, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2     18-12-2018            Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending arrest in a case registered  
for the offences punishable under Sections 366A/34 of the  
Indian Penal Code.

The prosecution case got initiated on the basis of written  
report dated 21.05.2018 submitted by Sakila Bibi to the Station  
House Officer, Rohtas Police Station to the effect that the  
daughter of the informant was enticed away by co-villager,  
Imran Khan. The victim also took with her Rupees Five Lac  
cash and jewellery worth Rupees Two Lac. On 23.06.2018, the  
marriage of the informant's daughter was fixed, hence, the cash  
and jewellery were kept in the house, but in order to grab the  
said property, the accused persons enticed away her daughter.



It is submitted by learned counsel for the petitioner that the thrust of accusation is against co-accused Imran Khan, who has been granted anticipatory bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.71013 of 2018. In the statement of the victim recorded under Section 164 of the Cr.P.C., though she has recorded her age as 22 years, but the learned Court below has assessed her age as 23 years, wherein, the victim has not named the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioner.

Considering the statement of the victim recorded under Section 164 of the Cr. P.C., wherein the victim has not named the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Dehri, Rohtas, in connection with Rohtas



P.S. Case No.157 of 2018, subject to the conditions as laid down  
under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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