

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16050 of 2015

Arising Out of PS.Case No. -599 Year- 2014 Thana -KISHANGANJ District- KISANGANJ

- =====
1. Azad Son of Abdul Latif
 2. Nazemul Haque @ Nazebul Haque Son of Abdul Latif
 3. Tazemmul Haque @ Tazmul Haque, Son of Abdul latif
 4. Abdul Latif @ Abdul Haque Son of Late Hasimuddin
- All are resident of Village- Farsadangi, PoliceStation- Kishanganj in the district of Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raj Kumar
For the Opposite Party/s : Mr. T.N.Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 02-07-2015 Heard both sides.

The petitioners, four in number, apprehend their arrest in a case under Section 366(A) and other sections of the Indian Penal Code.

The informant alleged that Azad (petitioner no. 1) took his daughter to his house but after some time, Azad was not present in his house and his daughter was also missing. The informant alleged that Azad (petitioner no. 1) and his family members Najmul Haque S/o Abdul Latif, Tajamul Haque S/o Abdul Latif and Abdul Latif S/o Hasimuddin kidnapped his daughter. The informant has not seen the incident of kidnapping of his daughter. The informant earlier filed Complaint Case no.

1307/2014 on 28.10.2014 but the present F.I.R. was lodged on 03.11.2014. The mother of the petitioner no. 1 also filed Complaint Case No. 1306/2014.

The victim is still traceless. The informant made specific allegation that it was Azad (petitioner no. 1), who took his daughter, and thereafter both of them became traceless. Hence, I am not inclined to enlarge the above named petitioner no. 1 on anticipatory bail in Kishanganj P.S. Case No. 599 of 2014 (G.R. No. 1993 of 2014). Accordingly, the same is rejected.

So far as the case of petitioner nos. 2, 3 & 4, namely, Nazemul Haque @ Nazebul Haque, Tazemmul Haque @ Tazmul Haque and Abdul Latif @ Abdul Haque is concerned, considering the facts that there is no specific allegation that petitioner nos. 2, 3 & 4 kidnapped the informant's daughter and the informant only alleged that when he went to enquire about his daughter, the petitioner nos. 2, 3 & 4 ill-behaved with him, the above named petitioner nos. 2, 3 & 4, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the learned Chief Judicial Magistrate, Kishanganj in Kishanganj P.S.

Case No. 599 of 2014 G.R. No. 1993 of 2014), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)