

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28330 of 2016

Arising Out of PS.Case No. -305 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

- =====
1. Sadaru Hazam son of Iddu Hazam
 2. Chanda Hazam son of Sadaru Hazam
 3. Zafir Hazam son of Iddu Hazam All residents of village Pakhnari P.S. Shiosagar, District Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sri Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-09-2016 Heard both sides.

The petitioners apprehend their arrest in Bhabhua P.S. Case No. 305/2014, registered for the offences punishable under Sections 363A, 365, 406 of the Indian Penal Code.

The informant filed complaint case on the basis of which the present F.I.R. is lodged. It is alleged that Sadaru Hazam, Chanda Hazam and Zafir Hazam took his minor son for providing him job in Jodhpur, but his son did not return. The informant suspected that his son might have been killed.

Learned counsel for the petitioners submits that petitioner no. 1 Sadaru Hazam and petitioner no. 3 Zafir Hazam are own brothers. Petitioner no. 2 Chanda Hazam is the son of

Sadaru Hazam petitioner no. 1. Sadaru Hazam happens to be the own Sadhu (brother-in-law) of petitioner no. 4 Gusleazam Hazam. Gusleazam Hazam is own brother of the informant. There is a Title Suit bearing no. 237/2009 between the informant Misluddin Hazam and Gusleazam Hazam pending in the court of Sub-Judge, Bhabhua, on account of this dispute the petitioners have falsely been implicated in this case. Petitioners never took the son of the informant for providing him job.

Learned A.P.P. however opposed the prayer for anticipatory bail of the petitioners, but could not point out as any person has seen the petitioners taking the son of the informant.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest or surrender before the 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 satisfaction of Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Bhabhua P.S. Case No. 305/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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