

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27292 of 2017

Arising Out of PS.Case No. -330 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Munna Mian @ Nurul Emam Shaikh, son of Sk. Anwar @ Anvarul Hak Shaikh, resident of Langra Diuliya, P.S.- Shikarpur, District- West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey

For the Opposite Party : Mr. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner and the State.

Petitioner is accused in Shikarpur P.S. Case No. 330 of 2016 registered for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act.

Petitioner is in custody since 24.03.2017. In paragraph no. 3 the petitioner has stated that he does not bear any criminal antecedent behind him. The attention of the court was drawn by the counsel for the petitioner to this fact that seizure list was prepared in violation of mandatory provisions of Section 100 (6) of the Cr.P.C. Referring to the unexplained delay in sending the F.I.R. counsel for the petitioner submits that he has been falsely implicated in this case as his name is Munna Mian and the



alleged Munna where police conducted raid was told that Munna is no more and as such, he has been made accused in this case.

Having regard to the fact that the petitioner has no criminal antecedent as stated in paragraph 3 of the petition and the fact that seizure list was prepared in breach of the mandatory provision as discussed above and also the fact that the petitioner is in custody since 24.03.2017, I am inclined to enlarge the petitioner, above named, 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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 330 of 2016, subject to the condition that the petitioner will extend full cooperation in conclusion of the trial and will not, in any manner, influence the witnesses.

(Anil Kumar Upadhyay, J)

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