

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27041 of 2017

Arising Out of PS.Case No. -722 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Sanny Paswan, Son of Late Moti Paswan, Resident of Jawaripur Near
Dainik Bhaskar, P.S. Tilka Manjhi, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 01-07-2017

Heard learned counsel for the petitioner and the

State.

The petitioner is in custody in connection with
Kotwali (Tilkamanjhi) P.S. Case No. 722 of 2016 for the offences
under Section 25(1-b)a, 26 of the Arms Act and Section 414 IPC
which was subsequently added.

The petitioner is in custody since 30.12.2016.

Learned counsel for the petitioner has questioned
the legality of preparation of the seizure list and submitted that the
place of occurrence and manner of occurrence of offence are all
imaginary which is apparent from the fact that the seizure list was
prepared on 29.12.2016 at 21.00 hours and the FIR was registered



on the same day at 23.15 hours and in the seizure list the number of the FIR was mentioned.

Without going into the controversy as to the preparation of the seizure list and the submission of the petitioner about the imaginary place of occurrence and the commission of the offence, this Court is inclined to enlarge the petitioner on bail on the ground that the petitioner has remained in custody since 30th of December, 2016. Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur or the successor Court in connection with Kotwali (Tilkamanjhi) P.S. Case No. 722 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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