

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41894 of 2016

Arising Out of PS.Case No. -193 Year- 2016 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Ujjawal @ Subham Sharma Son of Muna Sharma Resident of Village-
Baruna , P.S Rafiganj, District Aurangabad.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 17-10-2016 Heard the learned counsel for the petitioner and
the learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Aurangabad Town P.S. Case No. 193 of 2016 registered for the
offences punishable under Sections 307, 34 and 120(B) of the
Indian Penal Code.

Allegedly, the petitioner and other co-accused
started indiscriminate firing upon the informant who is a
practicing advocate of Civil Court, Aurangabad and thereafter,
due to alarm being raised, neighbours came and two of the
miscreants, namely, Sunil Roy and the petitioner were caught.

On interrogation, Sunil Roy disclosed that Sanjit Sharma sent him to kill the informant on Supari of Rs. 1, 50,000/-. It is further alleged that the occurrence took place under conspiracy made by Manoj Sharma and Satish Sharma, who are in Daudnagar Jail.

Submission is of false implication and that no arms were recovered from possession of the petitioner. F.I.R. has been lodged with wrong and baseless allegation and the petitioner has got no concern with the alleged occurrence. There is no specific allegation against the petitioner and without any fault, he is suffering in custody since 28.06.2016. He is handicapped and, as such, he deserves sympathetic consideration.

Learned A.P.P. submits that the petitioner has got criminal antecedent and co-accused Sunil Roy has confessed his guilt stating the involvement of the petitioner also.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 193 of 2016, subject to

the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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