

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49931 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- MASAUDHI District- Patna

Ujjwal Kumar @ Ujjawal Sharma Son of Vijay Kumar @ Kundan Sharma,
Resident of Lakhibagh Prem Road, Masaurhi, P.S.- Masaurhi, District- Patna
(wrongly mentioned as J.P. Road).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-08-2019 Heard both sides.

The petitioner apprehends his arrest in Masaurhi P.S.
Case No.127 of 2019 registered under Sections 147, 148, 149,
341, 342, 323 and 307 of the Indian Penal Code and under
Section 27 of the Arms Act.

The informant disclosed in his fardbeyan that while
he was returning along with Bittu Kumar and Manish Kumar on
his motorcycle from birthday party of niece of Rahul Kumar and
when they reached near a temple, Chhotan Yadav, Abhishek @
Netaji, Neeraj Kumar, Ujjwal Sharma (petitioner) and Ankit
Sangam stopped them and began to abuse the informant.
Ujjawal Sharma pulled him down from the motorcycle and
Chhotan Yadav made fire causing injury on the chest and arm of



the informant. Abhishek @ Netaji also fired which hit the back of the informant. It is further alleged that Ankit Sangam caught Bittu Kumar and Chhotan Yadav and Abhishek @ Netaji again fired causing injury on the thigh of Bittu Kumar and in the stomach of ManishKumar.

Learned counsel for the petitioner submits that the petitioner is of course named in the F.I.R. but no specific allegation is made against the petitioner. The allegation of firing is made against others. The petitioner is a student and the case has been compromised, hence, the petitioner deserves anticipatory bail, but it appears from the F.I.R. itself that when the informant along with his friends reached near a temple, the accused persons including the petitioner stopped the motorcycle of the informant. The petitioner pulled the informant down from the motorcycle and on such Chhotan Yadav and Abhishek @ Netaji made fire causing injury on the chest, arm and back of the informant. The accused persons also made fire on Bittu Kumar and Manish Kumar.

Having considered the facts and the nature of allegations made against the petitioner and the fact that the petitioner and others having conspired with each other made abortive attempt to kill the informant and his friends by using



firearms, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Harish/-

U		T	
---	--	---	--

