

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10575 of 2023

Arising Out of PS. Case No.-755 Year-2022 Thana- AURANGABAD TOWN District-
Aurangabad

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1. KAMATA YADAV @ KAMTA SINGH Son of Late Rambilash Yadav R/V-
Pipardih, P.S- Aurangabad (T) Dist- Aurangabad
 2. Ajeet Kumar @ Gabbar Son of Kamta Yadav R/V- Pipardih, P.S-
Aurangabad (T) Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners apprehend arrest in connection with
Aurangabad Town P.S. Case No. 755 of 2022 registered for the
offences under Section 307 and other allied sections of the
Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
instant case due to political rivalry. Further submission is that
there is allegation against petitioner no. 1. He further submits
that there is no direct allegation of causing injury against the
petitioner no. 2. It is also submitted that the petitioners have no



criminal antecedent.

Learned Additional Public Prosecutor appearing for the State opposes the prayer for bail of petitioner no. 1 by contending that in the first information report, there is direct allegation of causing gun shot injury to the informant and the injury report also corroborates the same. He therefore, submits that petitioner no. 1 does not deserve to be enlarged on anticipatory bail.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner no. 2 namely Ajeet Kumar be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 755 of 2022, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

So far as the prayer of petitioner no. 1 Kamata Yadav @ Kamta Yadav is concerned, considering that there is direct allegation of causing a grievous gun shot injury to the informant which is also corroborated by the injury report, this Court is not inclined to grant the privilege of anticipatory bail to the



petitioner. His prayer for bail is accordingly rejected.

(Arvind Srivastava, J)

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