

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15555 of 2021

Arising Out of PS. Case No.-564 Year-2019 Thana- PURNEA SADAR District- Purnia

Kajal Kinnar aged about 27 years, Female, D/o Raj Kumar Resident of Village- Chouhan Tola, Khuskibag, P.S.- Sadar, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Humayu Ahamd Khan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sadar P.S. Case No. 564 of 2019, registered for the offence under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per First Information Report, on 05.11.2019, while the informant (petitioner) was moving with Guru Muskan Kinnar and other members of *Nach-Gan* Team, two boys covering their face came on motorcycle and one of them, took out pistol and fired upon Muskan Kinnar, as a result of which, Muskan Kinnar fell down and during course of treatment, died.

Petitioner is not named in the FIR. Name of the petitioner surfaced in the confessional statement of co-accused Mithu Sharma. The only material, which has come against the



petitioner, is that this petitioner is one of the accused, who hatched the conspiracy of murder of Muskan Kinnar (deceased). It is further submitted that one of the co-accused namely Deepak Kumar has already been granted bail by a coordinate Bench of this Court, vide order dated 02.11.2020 passed in Cr.Misc. No. 22173 of 2020 (Annexure – 2). Petitioner has no criminal antecedent and is in custody since 09.11.2019.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties, materials available on record and the fact that petitioner is only alleged to be conspirator, the bail petition of petitioner is allowed. Let the above named petitioner be released 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 C.J.M., Purnia in connection with Sadar P.S. Case No. 564 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J.)

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