

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26730 of 2022

Arising Out of PS. Case No.-746 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Komal Kumari @ Raja, Daughter of Sri Ram Singh @ Ram Singh W/o
Abhiram Singh, R/o Village - Indruk, Ward No.- 12, P.S.- Safia Sarai, Dist.-
Munger, Presently R/o Village - Sighma, P.S.- Matihani, District - Begusarai.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Begusarai Town P.S. Case No.746/2021 instituted under
Sections 341,324,307/34/120(B),302 of the IPC and Section 27
of the Arms Act.

As per the allegation in the FIR, there was a marriage
in the family of the informant and his brother-in-law (deceased)
Bambam Kumar was out for shopping when it is alleged that
motorcycle borne accused persons intercepted him and after
abusing him opened fire causing injuries on his face, chest and
abdomen and he was taken to local hospital and he succumbed



to his injury.

Learned counsel for the petitioner submits that prior to the marriage the victim and the petitioner were in relationship and were about to get married, but somehow both were married to different families but remained in contact and on that basis she has been implicated in this case.

Learned counsel for the informant on the other hand submits that on the date of incident there was continuous telephonic conversation between the victim and the petitioner and he fairly shows her implication in this matter.

As per the FIR, the accused persons came and after abusing the victim opened fire causing his death. The petitioner has been alleged as a conspirator in this case.

Considering the aforesaid facts that killing has been attributed to other accused persons, that she is in custody since 22.12.2021 (as stated in paragraph-9 of the bail application), has no criminal antecedent and ultimately she has to face the trial, this Court is inclined to grant her privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Begusarai Town P.S. Case No.746/2021 to the satisfaction of learned Chief



Judicial Magistrate, Begusarai, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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