

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34683 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- AMNAUR District- Saran

Kajal Kumari WIFE OF LATE KUNAL SINGH Village- Ushari Chanpura
PS- Taraiya District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 302 of the Indian Penal Code and Section 27 of Arms Act.

3. Prosecution case in short is that while the son of the informant was going to Ara on his motorcycle, informant came to know that someone has shot his son, namely, Kunal Kumar Singh in the village Afahar, near the High School. After knowing this, informant along with co-villagers went to the spot and took his son to hospital but the doctor declared him dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. She has falsely been implicated in this case due to village politics. The



petitioner is not named in FIR rather her name came into light in this case on the basis of confessional statement of co-accused Dhiraj Singh before the police which has got no evidentiary value in the eye of law and he has already been granted bail by this Court vide order dated 21.03.2024 in Cr. Misc. No. 4094 of 2024. Only on the basis of hearsay evidence, she has been dragged in this case. No any consistent material has come against her. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 28.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that petitioner is wife of the deceased and other co-accused committed murder of the informant's son in connivance with this petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner and petitioner being a lady, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Amnaur P.S. Case No. 172 of 2023 on with two sureties of the like amount furnishing bail bond of Rs.10,000/- (ten thousand) each



to the satisfaction of learned Additional District and Sessions
Judge-IX, Saran at Chapra.

(Sunil Kumar Panwar, J)

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