

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61388 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- Haraiya District- East Champaran

1. Bittu Kinnar S/O Sunil Das R/O Village- Tumariya Tola, Ward No. 2, P.S.- Hariaya, District- East Champaran
2. Meenu Kinnar @ Meena Kinnar D/O Guru Jainab R/O Village- Tumariya Tola, Ward No. 2, P.S.- Hariaya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim, Adv.

For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Haraiya P.S. Case No. 69 of 2025 instituted for the offences under Section 127(2), 115, 118(1), 109, 352, 352(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the accused persons including the petitioners is of assaulting the informant by means of iron rod and knife upon the informant with an intention of killing her due to which she sustained injury upon her head and abdomen. It is also alleged that the accused persons also threw the informant's daughter from the e-



rickshaw.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. The petitioners are not named in the F.I.R. as the same has been lodged against the unknown. The names of the petitioners were transpired in course of investigation on the basis of hearsay statement of Guddu Kinnar and Plazzo Kinnar recorded before the police which has got no evidentiary value in the eye of law. The petitioners and the informant are transgender and they all are *Chelas* (adopted) by one Guru Jainab. There is no direct or specific allegation of any overt act against the petitioners rather the same is general and omnibus in nature. The direct allegation of assault by iron rod upon the head of the informant is on co-accused Hathi Kinnar. He further submits that the informant sustained three injuries out of which two are simple in nature and one is grievous. He further submits that the injury allegedly caused by the petitioners upon the informant is simple in nature. He further submits that no Test Identification Parade has been conducted in this case. The petitioners have no criminal antecedent and are languishing in judicial custody since 12.06.2025 without any rhymes or reason.



5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Haraiya P.S. Case No. 69 of 2025.

(Rudra Prakash Mishra, J)

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