

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16693 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- PIRBAHOR District- Patna

NEHA AGRAWAL, aged about 36 years, (F) Wife of Sumit Agrawal Resident of 32, Baranashi, Ghosh Street, P.S.- Grish Park, District - Kolkata (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-03-2019 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove the defect(s) in course of the day. Defect No.6(4) has been removed by filing certified copy of FIR.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 353, 341, 332, 323, 427, 504, 506 and 34 of the Indian Penal Code.

Informant who is a police officer has alleged that while she along with other constable were on their way to Patna



Civil Court to obtain warrant of arrest in S.K. Puri Case No. 118 of 2018, she was informed that one of the accused in S.K. Puri Case No. 441 of 2015 Usha Khemka has been spotted near St. Josephs School and while she was being arrested by her, Neha Agrawal (Petitioner) daughter of Usha Khemka started abusing and assaulting her and thereafter both fled away in court premises and subsequently were arrested near St. Marry's School and present FIR was lodged against them.

It has been submitted on behalf of the petitioner that she is innocent and has been falsely implicated in this case due to highhandedness of police. Petitioner is a lady. She is in custody since 24.01.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Pirbahor P.S. Case No. 57 of 2019**, with following condition:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the



trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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