

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38464 of 2023

Arising Out of PS. Case No.-239 Year-2022 Thana- RAXAUL District- East Champaran

MUKESH GIRI, S/O LATE SHEO PUJAN GIRI, R/O Village- Kauwa
Dhanger, PS.Raxaul, Dist. East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Nibash Prasad, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-06-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Raxaul P.S. Case No. 239 of 2022 dated 19.05.2022 registered for the offences punishable u/ss 498A, 494, 341, 323, 379, 504 and 506 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and the co-accused persons are alleged to have tortured the informant mentally and physically due to non-fulfillment of demand of 10 *dhurs* of land and Rs. 5,00,000/- as dowry.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The present case has been lodged against the petitioner after lapse of 10 years of the marriage and in the meantime, the informant gave birth to two children. He has further submitted that the petitioner is neither demanded dowry nor tortured the informant. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.03.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Raxaul, East Champaran, Motihari in connection with Raxaul P.S. Case No. 239 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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