

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61381 of 2023**

Arising Out of PS. Case No.-37 Year-2021 Thana- MAHILA P.S. District- Lakhisarai

Gyanchand Nirala @ Gyanchandra Nirala S/O Late Shiv Prasad Mahto @
Shiv Prasad Mahato R/O Oraiya, P.S- Lakhisarai, Distt.- Lakhisarai, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Tanuja Nirala W/O Gyanchand Nirala @ Gyanchandra Nirala R/O Oraiya,
P.S- Lakhisarai, Distt.- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Mohan, Advocate
For the Informant	:	Mr. Umesh Prasad, Advocate
		Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Sharma, APP

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

ORAL ORDER

2 12-09-2023 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.

2. Heard learned counsel for the petitioner and learned counsel for the informant as well as learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Lakhisarai Mahila P.S. Case No. 37 of 2021 dated 13.09.2021 registered for the offences punishable u/ss 341, 323 and 498A of the Indian Penal Code and $\frac{3}{4}$ of the D.P. Act.

4. As per the prosecution case, the petitioner is alleged to have tortured and assaulted the informant due to non-fulfillment of Rs. two lakhs as dowry. It is further alleged that the petitioner is in



illicit relationship with one Minu Kumari.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner neither demanded any dowry nor tortured the informant. There is general and omnibus allegation against the petitioner. The petitioner is the husband of the informant. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.06.2023.

6. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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, Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 37 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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