

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31523 of 2017**

Arising Out of PS. Case No.-2322 Year-2014 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

=====

Chandan Kumar Ray Son of Ram Nagina Ray Resident of Mohalla Driver  
tola Sangram Chouk , Railway Quarter , P.S. Town, District Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anju Devi Daughter of Suresh Mahto, Wife of Chandan Kumar Ray Resident  
of Village Nital Bastin ward No. 6, P.S. Thakurganj, District Katihar.

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh  
For the Opposite Party/s : Mr. Sri Atul Chandra

=====

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

12    08-08-2018                      Heard learned counsels for the petitioner and the  
  
State.

Petitioner apprehends arrest in connection with  
  
Complaint Case No. 2322 of 2014 registered for the offence  
  
punishable under sections 376, 511, 498A, 406/34 of the Indian  
  
Penal Code.

Learned counsel appearing for the petitioner  
  
submits that petitioner had never demanded any dowry nor  
  
tortured the complainant. As a matter of fact, finding no  
  
alternative, petitioner had filed Matrimonial Divorce Case No.  
  
1116 of 2014 before the Family Court Katihar and only after  
  
filing of that case the present complaint case has been filed by



the complainant. Petitioner is still ready to keep his wife with full honour and dignity, but she is not desirous of living with this petitioner.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that inspite of indulgence given by this Court petitioner could not settle the dispute. Even mediation could not succeed. Moreover, petitioner being the husband was very much responsible for keeping his wife with full honour and dignity, in which he failed. In this circumstances, prayer of the petitioner is fit to be rejected.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner. The same is, therefore, rejected.

**(Arvind Srivastava, J)**

mcv/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

