

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8355 of 2019

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

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CHANDAN KUMAR RAY Son of Ram Nagina Ray Resident of Driver Tola,
Sangram Chowk, Railway Quarter No. 209 (B), P.S.-Katihar, District -
Katihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anju Devi Wife of Chandan Kumar Ray Resident of Nital Basti, Ward No. 6,
P.S.- Thakurganj, District - Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha
For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel appearing for opposite party

no. 2.

Petitioner is languishing in judicial custody since
08.01.2019 in connection with Complaint Case No. 2322 of
2014 for offences punishable under Sections 376/511, 498-A,
406/34 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

The prosecution case, as lodged by the complainant,
who is the wife of the petitioner, is that she was married to the
petitioner on 29.11.2013 and all along since her marriage she
has been subjected to torture for non-fulfillment of demand of



Rs. 1 lakh and gold ornaments by the petitioner and his family members named in the complaint case. Petitioner works in CISF, is away from the matrimonial house and the complainant is left in the matrimonial house where she is subjected to torture and whenever petitioner comes he also used to torture her and assaults her for non-fulfillment of demand of dowry.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has not tortured the complainant and undertakes to keep his wife with full dignity and honour at his place of work.

However, learned counsel appearing for opposite party no. 2 submits that she is ready to go with the petitioner to his place of work.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Katihar, in connection with Complaint Case No. 2322 of 2014, subject to the following conditions :

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property, who



will file an affidavit stating his relationship with the petitioner.

2. If the petitioner does not honour the undertaking of keeping his wife (the complainant) with full dignity and honour at his place of work, the complainant and the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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