

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 140 of 2017**

- Chandrashekhar Singh S/o Shri Bhola Singh, Aged About 35 Years R/o Baikunthpur, Tahsil Baikunthpur, District Korea, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station, Baikunthpur, District Korea, Chhattisgarh.

---- Non-applicant

For Applicant:	Mr. Amrito Das, Advocate
For State:	Mr. N.K. Mehta, Panel Lawyer
For Objector:	Mr. A.K. Pandey, Advocate

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****08.05.2017**

1. The present application u/s 438 of the Cr.P.C. for grant of anticipatory bail has been filed by the Applicant apprehending his arrest in connection with Crime No. 46/2017 registered by the Police Station – Baikunthpur, District - Korea, whereby he has been charged for the offence punishable under Sections 498A, 494, 294 and 506 of the Indian Penal Code.
2. The allegation against the present Applicant is that he has subjected the complainant his wife to ill-treatment, torture and harassment right from the year of their marriage, which took place in June, 2005.
3. Learned Counsel for the Applicant submits that the present Applicant too made efforts for the marriage to sustain but because of the adamant and rigid approach of the complainant the marriage life was not successful and the relation got strained thereafter, the complainant and the present Applicant are staying separately. In between, the application moved by the

Applicant under Section 9 of the Hindu Marriage Act and the application under Section 200 of the Cr.P.C. preferred by the complainant also got rejected. Further it is recently a fresh FIR which has been lodged only on 02.02.2017 wherein there is a specific allegation against the present Applicant of having married another lady without the first marriage having been legally dissolved. There is also allegation that out of that second marriage a child has also born in the course. The investigating authority has collected a document from the hospital in respect of the child being born to that said lady- Rashmi Singh from the present Applicant.

4. Considering the nature of the allegation levelled against the present Applicant and also considering the facts and circumstances of the case, this Court is of the opinion that present is not a fit case for grant of anticipatory bail in favour of the Applicant.
5. Accordingly, the present MCRCA stands dismissed.

Sd/-

(P. Sam Koshy)
JUDGE