

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1899 of 2019

Ajay Kumar Manhar S/o. Chhatram Aged About 32 Years Caste Satnami,
Resident Of Village Khairtal, At Present Resident Of Rajgamar Police
Chowki Rajgamar, Korba District Korba Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through-Station House Officer, Police Station Balco
Nagar Korba, District Korba Chhattisgarh

---- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Advocate.

For Respondent/State : Mr. Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

24/02/2020

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 245/2019, registered at Police Station Balco Nagar, Distt. Korba Chhattisgarh for the offence punishable under Sections 498-A & 34 of the IPC and Section 4 & 5 of the Tonahi Pratarana Act.
2. As per prosecution story, the applicant is the husband of complainant . Marriage between the applicant and the complainant was solemnized on 31.05.2017. Allegedly, after the marriage, the applicant and other co-accused persons tortured the complainant and demanded Rs. 5 Lacs as dowry. It has been further alleged that the applicant used to torture the complainant by saying her *Tonhi*. Earlier also, the complainant has lodged complaint against the applicant and after their settlement they were resided together. Later on the applicant committed *marpeet* with the complainant. On 30.03.2019, when the mother of the complainant went to meet her

daughter/complainant, the applicant did not let her meet due to which the complainant tried to commit suicide. On the basis of said background, offence has been registered.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the other co-accused persons namely Smt. Kanti Manhar and Aruna Nirala have already granted benefit of anticipatory bail by this Court vide order dated 17.10.2019, passed in MCRCA No. 1299/2019. Hence, it is prayed that the applicant may also be granted benefit of anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary minutely.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and particularly considering the fact that all the allegations regarding cruelty and *Tonhi Pratarna* have been leveled against the applicant, therefore, his case is distinguishable to the case of co-accused persons namely Smt. Kanti Manhar and Aruna Nirala. Without further commenting on other merits of the case, in my considered opinion, it is not a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Arvind Singh Chandel)
Judge