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HIGH COURT OF CHHATTISGARH, BILASPURMCRCA No. 63 of 2021Judgment Reserved on 3.3.2021Judgment Delivered on 10.03.2021

- Ajay Singh Sarthi S/o Shri Mohan Singh Sarthi Aged About 27 Years R/o Block No. 35/ D, 2-D Type, Nirmala Sector Ward No. 23, Dalli Rajhara Police Station Dallirajhara District Balod Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dallirajhara District Balod Chhattisgarh

---- Respondent

For Applicant
For Respondent/State

Ms. Indira Tripathi, Advocate
Mr. Arijit Tiwari, Panel Lawyer

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**CAV Order**

1. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No.498/2020 registered at Police Station Dallirajhara, District Balod (CG) for the offence punishable under Sections 498-A, 323, 506/34 of the IPC.

2. The applicant was married with the complainant at Arya Samaj Temple on 14.12.2017 and thereafter, a customary marriage was performed on 29.6.2020. The applicant has allegedly demanded cash amount of Rs.15 lakhs and on refusal of the complainant, her hands and legs were burnt by wax candle and her hair was cut. She was assaulted and dragged out of the marital house. In the medical report, old burn injuries have been noticed on right forearm with old abrasion wound over right little and ring fingers. Marks of injuries were also found on the left forearm. Thus allegations of burning with wax candle and assault is *prima facie* substantiated.
3. Considering the nature of allegations, I am not inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
4. Accordingly, the bail application is dismissed. However, in the event, regular bail application is filed by the applicant, the same shall be considered and decided expeditiously, preferably within 3 days, by the jurisdictional Court. Sd/-

(Prashant Kumar Mishra)

Judge