

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9228 of 2018

Ashok Rao Thakre, S/o. A.R. Thakre, Aged About 47 Years, R/o. Sector 6,
Road 82, Quarter No. 6/c, Bhilai, District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through District- Magistrate, Civil & Revenue
District- Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. B.P.Singh, Advocate

For Respondent : Mr. D.R.Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.11.2018

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.139/2018 registered at Police Station- Chavni, District Durg (C.G.) for the offence punishable under Section 306, 498-A of Indian Penal Code. The first bail application was dismissed as withdrawn with liberty to file afresh after examination of Shreya Thakre on 11.05.2018 in MCRC No.2527 of 2018.
2. As per the prosecution case, the applicant Ashok Rao Thakre and the deceased Rakhi Thakre were married in the year 2001 and subsequently, because of the applicant, she committed suicide by jumping before the Train.
3. Learned counsel for the applicant would submit that the first bail application was dismissed on 11.05.2018 with liberty to repeat the same after examination of the daughter of the deceased and applicant namely Shreya Thakre and she has been examined and nothing has been deposed against applicant. He further submits

that there is no chance of tempering the evidence as the daughter has already been examined and the applicant is in jail since 26.02.2018, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and statement. Considering the fact that the daughter has already been examined, it appears that chances of tempering the evidence is over. Taking into the nature of allegation, without going into the merit of the statement of daughter and considering the fact that the applicant is in jail since 26.02.2018, I am inclined to release the applicant on bail.
6. Accordingly, the second bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge