

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 8179 of 2019**

Lileshwar @ Ilesh Tamer, son of Dev Prasad Tamer, aged about 30 years, R/o.  
Anandpur, P.S. Gurur, Distt. Balod (C.G.) (In jail)

**---- Applicant****Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station Gurur, District  
Balod (C.G.)

**----Respondent.**


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For Applicant : Mr. Shikhar Sharma, Advocate.  
For Non-applicant/State : Mr. Vinod Tekam, Panel Lawyer.

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**Hon'ble Smt. Justice Rajani Dubey****Order On Board****10/02/2020**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 46/2019 registered at police Station Gurur, District Balod (C.G.) for the offence punishable under Sections 458, 354(A)(1) & 354(B) of Indian Penal Code and Section 3(2) (v) of the Scheduled Caste and the Scheduled Tribe (Prevention of Atrocities) Act, 1989.

(2) Case of the prosecution, in nutshell, is that on 23-02-2019, at about 12.30 in the night, the applicant entered into the courtyard of complainant and disconnected the electricity and when she came out of her house, he caught her and started touching her various parts of body, as a result therefore, she sustained simple injuries on her body and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the

offence in question as there is no evidence available on record to connect the applicant with the crime in question. He further submit that applicant is in detention since 04.06.2019; charge sheet has already been filed and the trial is likely to take some time for its final disposal and, therefore, the applicant be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; particularly the facts applicant is in detention since 04.06.2019; charge sheet has already been filed; trial is likely to take some time for its final disposal and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)  
Judge

D/-

