

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 893 of 2008

- Kuldeep Bhuiya S/o. Jaggu Bhuiya, aged 19 years, R/o. Vill. Piprol, P.S. Ramanujganj Distt. Surguja (C.G.).

---- Appellant

Versus

State of Chhattisgarh Through: Police Station Ramanujganj District- Surguja (C.G.)

---- Respondent

For Appellant	:	None.
For Respondent	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

04/11/2017

1. The Appellant has been convicted under Section 376 (1) of the Indian Penal Code and sentenced to undergo rigorous imprisonment for 7 years and to pay fine of Rs. 200/- with default stipulation.
2. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Ambikapur would mention that the Appellant has undergone the entire jail sentence imposed upon him by the Trial Court and already released on 14/02/2013.
3. Since no one appears for the Appellant today, I decide this appeal on merits.
4. I have heard Learned Counsel appearing for the State and perused the

record to assess the correctness of the impugned judgment of conviction.

5. The Appellant has allegedly committed rape with the prosecutrix (PW1), aged about 9 years. In her statement, she has fully supported the case of the prosecution and firmly stood by the contents of her case diary statement. Her statement is duly corroborated by the prosecution witnesses namely- Sukhlal (PW2), Devraj (PW3) and Ramsural (PW4). Medical reports (Ex.P-4 & Ex.P-5), Query report (Ex.P-7), Ossification test report (Ex.P-8) and the statements of Dr. S.K. Sinha (PW5) and Dr. Snehlata Tirki (PW6) also support the case of the prosecution.
6. Considering the material available on record, I do not find any merit in this appeal.
7. Consequently, the appeal deserves to be and is hereby dismissed.

Sd/-

Judge
Arvind Singh Chandel