

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 1176 of 2018

- Rajesh @ Ram Prasad Yadav S/o Keshnath Yadav Aged About 19 Years R/o Masjid Para, Chhura, Police Station Chhura, District Gariyaband Chhattisgarh, District : Gariyabandh, Chhattisgarh

---- Appellant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Chhura, District Gariyaband Chhattisgarh

---- Respondent

Cr.A. No. 1447 of 2017

- Rajesh @ Ram Prasad Yadav S/o Keshnath Yadav Aged About 19 Years R/o Masjid Para, Chhura, Police Station Chhura, District Gariyaband Chhattisgarh, District : Gariyabandh, Chhattisgarh

---- Appellant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Chhura, District Gariyaband Chhattisgarh

---- Respondent

For Appellant	: Shri S.K.Chandel & Shri C.R.Sahu, Advocates in respective appeals
For Respondent/State	: Ms. K.Tripti Rao, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Rajani Dubey

Order On Board By Manindra Mohan Shrivastava,J.

05/12/2018

Two appeals have been filed by the appellant Rajesh @ Ram Prasad Yadav, assailing the legality and validity of the impugned judgment of conviction and order of sentence dated 1st August 2017 passed by the Special Judge (SC/ST (Prevention of Atrocities) Act), Raipur in Special Sessions Trial No. 05/2016.

After perusing records of the two cases, we find that appeal on behalf of accused/appellant has already been filed on 31.08.2017, registered as Cr.A. No. 1447/2017. However, later on, a jail appeal is also filed on 04.08.2018 registered as Cr.A. No. 1176/2018.

In the affidavit along with the jail appeal, the accused has stated that certified copy of the judgment supplied to him by the court was handed over to the family members for filing appeal but on account of poverty, the appeal could not be filed, he is sending the appeal from jail. In the affidavit, it has been stated that it is his first appeal and he has not filed any appeal in the High Court.

It appears that the appellant could not be informed by his family members regarding filing of Cr. A. No. 1447/2017 on 31.08.2017. It also appears that due to lack of communication, jail appeal later on, came to be filed through Legal Aid of the High Court.

In view of the above, the appeal filed later in point of time, is closed. Appeal of the appellant shall be heard in Cr.A. No. 1447/2017.

A copy of this order be sent to the accused/appellant through the concerned Jail Superintendent.

A copy of this order may also be sent to the High Court Legal Services Committee.

Let Cr. A. No. 1447/2017 be listed for consideration of bail application.

Cr.A. No. 1176/2018 is accordingly closed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Rajani Dubey)
Judge