

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CRMP No. 602 of 2019**

State Of Chhattisgarh Through Police Station - Sanawal, District Balrampur -  
Ramanujganj Chhattisgarh

**---- Petitioner**

**Versus**

1. Phoolchand @ Munna Yadav S/o Shri Muneshwar Yadav Aged About 35 Years R/o Village Colin Duba, Near Petrol Pump, Police Station Vindamganj, District Sonbhadra ( Up )
2. Surendra Yadav S/o Shri Muneshwar Yadav, Aged About 24 Years R/o Village Colin Duba, Near Petrol Pump, Police Station Vindamganj, District Sonbhadra ( Up )

**--- Respondents**

---

For Petitioner/State : Shri Subhash Yadav, Dy. G. A.

---

**DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Hon'ble Smt. Justice Vimla Singh Kapoor**

**Order On Board**

**16/04/2019**

1. Heard on application (I.A. No. 1) for condonation of delay in filing the appeal.
2. Upon due consideration, the application is allowed. Delay in filing the appeal is condoned.
3. Heard on prayer for grant of leave to appeal.
4. Though learned counsel for the State submits that on substantive evidence of prosecutrix, a minor having been raped, the prosecution came out with a case and supported by various evidence, yet the trial Court has acquitted the respondent, after going through the evidence of prosecutrix (PW 1), we find that the ground raised before this Court is not sustainable, as the prosecutrix has not at all supported the case of the prosecution.
5. No case for grant of leave to appeal is made out.
6. The petition is accordingly dismissed.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
**Judge**

**Sd/-**  
**(Vimla Singh Kapoor)**  
**Judge**