

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 622 of 2019

State Of Chhattisgarh, Through Station House Officer, Police Station Rajpur,
District- Balrampur- Ramanujganj, Chhattisgarh ---- **Petitioner**

Versus

Deosai Uraon, S/o Paddu Ram, Aged About 55 Years, Agriculturist, R/o Village
Laduwa (Khutipara) Police Station Raipur Distict- Balrampur-Ramanujganj,
Chhattisgarh ---- **Respondent**

For State/Petitioner : Mr. Anand Verma, Dy. G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Rajani Dubey

Order On Board

24/04/2019

Heard on (I.A. No.1) application for condonation of delay in filing application for grant of leave to appeal.

Upon due consideration, delay in filing application for grant of leave to appeal is condoned.

The application (I.A. No.1) is allowed.

Also heard on application for grant of leave to appeal.

1. Though learned State counsel argues that a strong motive of enmity between the party supported by recovery of club said to be used in the commission of offence was sufficient to return a finding of guilt, after going through the evidence on record, we find that there is no eyewitness, nobody had seen the appellant and the deceased together soon before the incident and the motive of enmity is said to be an old one. That much of material was not considered sufficient by the learned Trial Court to hold the respondent guilty for the commission of offence. Therefore, we do not find any good ground to interfere with the order of acquittal of respondent accused.

2. The CRMP is accordingly dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Rajani Dubey)
Judge