

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 910 of 2019

- State Of Chhattisgarh Through - Police Outpost Pandrapath, Police Station, Bagicha, District Jashpur Chhattisgarh

---- Petitioner

Versus

- Shivnarayan Yadav S/o Shri Badri Yadav Aged About 20 Years R/o Belwar Bhadiya, Outpost Pandrapath, Police Station Bagicha, District Jashpur Chhattisgarh

---- Respondent

For Petitioner/State : Mr. Neeraj Mehta, Panel Lawyer.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Rajani Dubey

Order On Board

20/06/2019

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 State Counsel submits that from the evidence led by the prosecution, a case is made out, on the face of the statements of the prosecutrix herself (PW 14), we find that she has not whispered anything regarding any rape committed on her by the respondent-accused except that she had gone along with him to the house of her maternal grandmother. On the face of such evidence, the learned trial Court left with no option but to grant acquittal. Therefore, no case for interference is made out.
5. The petition is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Rajani Dubey)
Judge