

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCRMP No. 1655 of 2019

- State of Chhattisgarh Through The Incharge Police Station Balrampur, District Balrampur-Ramanujganj Chhattisgarh.

---- Applicant

Versus

- Bihari Ram S/o Khaiju Ram Aged About 18 Years R/o Village Jawahar Nagar, Police Station Balrampur, District Balrampur-Ramanujganj Chhattisgarh.

---- Respondent

For Applicant/State :- Vikash Shrivastava, PL

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

17/07/2019

1. Since the default has already been removed, we have heard learned State counsel on admission.
2. Present application seeking leave to appeal would question legality and validity of the judgment rendered by Additional Sessions Judge, Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh in Spl. Sessions Trial (POCSO)

No.23/2017, acquitting the accused of the Charges under Sections 363, 366, 376 (2) (झ) of IPC and under Section 4 of Protection of Children from Sexual Offences (POCSO) Act, 2012

3. When examined in Court, prosecutrix has not supported the prosecution. She has denied that the accused has ever committed sexual intercourse with her.
4. In view of the statement made by prosecutrix, we are not inclined to grant leave to appeal.
5. Accordingly Cr.M.P. is dismissed.

Sd/-
Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ankit