

HIGH COURT OF CHHATTISGARH, BILASPUR

- State of Chhattisgarh Through Police Station – Rajpur, District- Balrampur-Ramanujganj, Chhattisgarh.

Versus

1. Lavang Sai S/o Shri Ghursai Aged About 20 Years
Occupation – Agriculturist, R/o Village Rewatpur, Police
Station – Rajpur, District- Balrampur-Ramanujganj,
Chhattisgarh.
2. Ghursai S/o Shri Aagarsai Aged About 50 Years R/o Village
Rewatpur, Police Station – Rajpur, District- Balrampur-
Ramanujganj, Chhattisgarh.
3. Kumbhkaran @ Dhund S/o Chalan Aged About 22 Years R/o
Village Rewatpur, Police Station – Rajpur, District-
Balrampur-Ramanujganj, Chhattisgarh.

For Applicant-State :- Shri K.K. Singh, G.A.

Hon'ble Shri Gautam Chourdiya, JJ.

By

Prashant Kumar Mishra, J

07/08/2019

1. Heard.
2. On due consideration, delay of 100 days in filing the present Cr.M.P. is condoned. Accordingly, I.A. No.1 is allowed.
3. The trial Court has acquitted the accused of the charges under Sections 294, 506 Part-II & 307/34 of IPC.
4. The victim PW-2, Sohar Sai, received injuries over his head in an incident which had allegedly taken place at about 8:30 pm on 28.06.2017, however, when examined in the Court he would state that the injuries sustained by him was on account of push given by his brother Jagdish who is not an accused. The victim has been declared hostile and has not supported the prosecution case even during cross examination.
5. In view of the nature and quality of the evidence available on record, no case for grant of leave to appeal is made out, accordingly, the present Cr.M.P. deserves to be and is hereby dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ankit