

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 2049 of 2019**

- State Of Chhattisgarh Through Station House Officer, Police Station Kirandul, District Dantewada Chhattisgarh.

---- Applicant**Versus**

- Deepak Mandal S/o Late Shri Jagdish Mandal Aged About 30 Years R/o Rai Complex Subhash Nagar, Ward No. 01, Kirandul, Police Station Kirandul, District Dantewada Chhattisgarh.

---- Respondent

For Applicant :- Shri Avinash Choubey, PL

**Hon'ble Shri Prashant Kumar Mishra &
Hon'ble Shri Gautam Chourdiya, JJ.**

Order On Board**By****Prashant Kumar Mishra, J.****09/09/2019**

1. The trial Court has acquitted the accused of the charges under Sections 302, 201, 397, 450, 404 of I.P.C.
2. Accused has allegedly committed murder of deceased Bela Rai. There being no eye-witness, the case of the

prosecution rested on circumstantial evidence.

3. Prakash Mandal (PW-3) and Amit Kumar (PW-5) have proved the memorandum statement of the accused. Pursuant to the said memorandum, recovery of ornaments of the deceased was made vide seizure memo (Ex-P-6). The ornaments were identified by Tulsi Rai (PW-2), daughter-in-law of the deceased.
4. Accused has made extra-judicial confession to Dinesh Gomasta (PW-9).
5. Considering the evidence available on record, we are inclined to grant leave to appeal.
6. Accordingly, the Cr.M.P. is allowed.
7. Let regular Acquittal Appeal be registered and the same be posted for consideration in the week after next.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Gautam Chourdiya)
Judge

Ayushi