

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCRMP No. 2229 of 2019

1. State Of Chhattisgarh Through-Station House Officer, Police Station Saja, District Bemetara Chhattisgarh.

---- Petitioner

Versus

1. Bhuvan Verma S/o Bhanu Pratap Verma Aged About 28 Years
Occupation Labour
2. Ramcharan Sahu S/o Nathuram Sahu Aged About 47 Years
Occupation Labour

Both R/o Vill. Bhendarwani, P.S. Saja, District Bemetara
Chhattisgarh.

---- Respondent

For Petitioner/StateShri Avinash Singh, Panel Lawyer

Hon'ble Shri Prashant Kumar Mishra, J.Hon'ble Shri Gautam Chourdiya, J.Order on BoardByPrashant Kumar Mishra, J.19-11-2019

1. Trial Court has acquitted the accused from the charge under Sections 302 & 201 of the Indian Penal Code.
2. The respondents/accused persons have allegedly committed murder of Paretan Sahu (since deceased) during the period evening of 30-7-2018 to the next morning.

3. Case of the prosecution is based on evidence of PW-4 Khedu Sahu, who has last seen the deceased in the company of the present accused persons. As per his statement, he had seen the deceased and the two accused in the puncture repair shop of PW-6 Ashok Sahu, however, PW-6 Ashok Sahu has not supported the prosecution, as he would state that both the accused had come to his shop on the date of incident, but the deceased was not there.
4. From the entire facts situation of the case and looking to the nature and quality of evidence available on record, it is manifest that present is not a fit case for grant of leave to appeal.
5. In the result, the application (CRMP), *sans* merit, is liable to be and is hereby dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Gowri