

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCRMP No. 185 of 2020

- State Of Chhattisgarh Through Police Station Shivrinarayan, District Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

- Rajnikant Rohidas S/o Shri Samaru Rohidas Aged About 22 Years R/o Devarghata, Police Station Shivrinarayan, District Janjgir-Champa, Chhattisgarh

---- Respondent

For Petitioner/StateMr. RS Baghel, Deputy Advocate General

DB: Hon'ble Mr. Justice Prashant Kumar Mishra &**Hon'ble Mr. Justice Gautam Chourdiya****Order On Board by Prashant Kumar Mishra, J.****24/1/2020**

1. Heard on IA No.1, an application for condonation of delay in filing the CRMP.
2. On due consideration, the application is allowed and the delay is condoned.
3. Also heard on admission.
4. The trial Court has acquitted the accused of the charges under

Section 302 of IPC.

5. The accused was sent for trial for committing murder of deceased Anjora Bai.
6. The case of the prosecution was based on eye-witness account rendered by PW-11 Chaitram Rohitdas, however, this witness has turned hostile and has not supported the prosecution at any stage of his examination. At one of stage of his examination, he admits his case diary statement but quickly clarifies that he informed the Police the same facts which he is narrating in the Court meaning thereby that he informed the Police that the accused was in fact aiming a dog with a hammer, who was eating the meals cooked in the house, but the hammer thrown on the dog hit the deceased.
7. There being no evidence against the accused, he has rightly been acquitted.
8. No case for grant of leave to appeal is made out.
9. The CRMP is dismissed.

Sd/-

(Prashant Kumar Mishra)

Judge

Sd/-

(Gautam Chourdiya)

Judge