

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1272 of 2020

State of Chhattisgarh, Through - The Police Station Chandrapur, District Janjgir- Champa Chhattisgarh.

---- Applicant

Versus

Labho Nishad S/o Sonau, Aged About 38 Years, R/o Village Machladih, Police Station Kosir, District Janjgir - Champa Chhattisgarh.

---- Respondents

For the Appellant :- Mr. Lalit Jangade, Dy. GA
For the respondents :- None

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor,

Order on Board By Manindra Mohan Shrivastava, J.

23.08.2021

Heard on the application for grant of leave to appeal.

2. Though learned State counsel would submit that in the case of circumstantial evidence the accused memorandum clearly states regarding involvement, we find that except what has been stated as confession made to police which is not admissible in evidence, the prosecution has failed to led any other clinching circumstantial evidence to connect the accused with the alleged commission of offence resulting in acquittal by giving benefit of doubt.
3. The finding of learned trial Court on the face of the evidence which was led by the prosecution before the trial Court, the conclusion cannot said to be suffering from any patent illegality or perversity

warranting for any interference against the judgment of acquittal. The application is, therefore, rejected as without merit. Accordingly the CRMP is dismissed.

Sd/-

Sd/-

Manindra Mohan Shrivastava
Judge

Vimla Singh Kapoor
Judge