

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1253 of 2020

State Of Chhattisgarh Through Police Station Darima District Surguja
Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Petitioner

Versus

Shambhuraam Prajapati S/o Shri Bhaiyyaram Prajapati Aged About 50 Years
R/o Palgadi Police Station Darima District Surguja, Chhattisgarh, District :
Surguja (Ambikapur), Chhattisgarh

---- Respondent

For State/Petitioner : Smt. Hamida Siddiqui, Dy.A.G.

**D.B. :Hon'ble Shri Justice Manindra Mohan Shrivastava &
Hon'ble Smt. Justice Vimla Singh Kapoor**

Order On Board

05/01/2021

1. Heard on prayer for grant of leave to appeal.
2. Taking into consideration the submission made by learned counsel for the State that the learned trial Court, while recording the finding that independent witnesses of memorandum and seizure have not supported the prosecution case, has failed to take into consideration the entire evidence and that the bicycle and mobile phone belonging to the deceased are proved to have been recovered from the house of the accused, we are inclined to grant leave to appeal.
3. Accordingly, the petition (Cr.M.P.) is allowed. Let the appeal filed by the State be registered as Acquittal Appeal and be listed for further orders.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge