

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 166 of 2020**

State Of Chhattisgarh Through Police Station - Basantpur, District -
Rajnandgaon, Rajnandgaon Chhattisgarh

---- **Petitioner**

Versus

Bhevendra Sahu S/o Lokeshwar Sahu Aged About 24 Years Resident
Of Village Aamdi, Police Station - Arjuni, District Dhamtari,
Chhattisgarh

--- **Respondent**

For Appellant/State : Mr. K.K. Singh, G.A.

D.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board

Per Manindra Mohan Shrivastava

09.03.2021

1. Heard on prayer for condonation of delay.
2. The appeal appears to be barred by 114 days we have heard learned counsel for the State on the aspect of condonation. Taking into consideration the period of delay and cause shown, we are inclined to condone the delay.
3. Also, heard on prayer for grant of leave to appeal against the judgment of acquittal dated 01.06.2019 passed by the Court of the learned Additional Judge, (F.T.C.) Janjgir, Rajnandgaon, C.G. in Sessions Trial No.27/2018, by which, the respondent/accused has been acquitted of the charges for commission of Offences under Section 376 (2) IPC and Sections 66 (E) and 67 of I.T. Act, 2000.
4. Having heard learned counsel for the State on prayer for grant of leave to appeal, taking into consideration the evidence with regard to seizure of a pen drive containing a video of sexual intercourse between the

accused and prosecutrix, therefore, we are inclined to grant leave to appeal. Accordingly, application for grant of leave to appeal is allowed. 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