CGHC010346732026 2026:CGHC:45691-DB

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HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 2392 of 2026

State of Chhattisgarh Through Its Station House Officer, Police Station Komakhan, District Mahasamund (C.G.)

... Petitioner(s)

versus

1 - Rahul Alias Rituraj Yadav Father Jaynath Aged About 29 Years Resident Of Gadhbaghrai, Police Station Buxa District Jaunpur, Uttar Pradesh (Absconding)

2 - Bijayendra Kumar Yadav Father Gaurishankar Yadav Aged About 30 Years Resident Of Gadhabaghrai, Police Station Buxa, District Jaunpur, Uttar Pradesh

3 - Guddu Kumar Gautam S/o Munni Lal Gautam Aged About 18 Years Resident Of Salamatpur, Police Station Maharajganj, District Jaunpur, Uttar Pradesh (Absconding)

4 - Rajesh Gautam Father Vibhuti Gautam Aged About 25 Years Resident Of Hemupur, Police Station Buxa, District Jaunpur, Uttar Pradesh- (Absconding)

... Respondents

For State/Petitioner **:** Mr. Saumya Rai, Dy. Govt. Advocate.

DB: Hon'ble Shri Justice Narendra Kumar Vyas &

Hon’ble Shri Justice Sudhir Kumar

Order on Board

29/10/2026

***Per* Narendra Kumar Vyas J.**

1. This Cr.M.P. has been preferred for grant of leave to appeal.

2. Heard on application for condonation of delay in preferring the instant petition.

3. On due consideration, the same is allowed and the delay in preferring the instant petition is hereby condoned.

4. Also heard on admission.

5. The petition being arguable is admitted for hearing.

6. We have heard learned counsel for the State/petitioner and perused

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the judgment passed by the trial Court as well as related documents.

7. Considering the facts and circumstances of the case as well as the statement of the prosecution witnesses wherein they have supported the case of prosecution, as such, the leave as prayed for by counsel for the Sate/petitioner, is granted.

8. Registry is directed to register the present Cr.M.P. under the head of "**Acquittal Appeal**".

9. The record of the case would demonstrate that respondents No. 1, 3 & 4 are abscounding, trial has not been conducted against them and the learned trial Court has already issued permanent warrant of arrest against them.

10. In view of the above, the concerned Superintendent of Police is directed to execute the permanent warrant of arrest issued by the learned trial Court against respondents No. 1, 3 & 4 to make their presence before this Court on **15th December, 2026**.

11. After registration of acquittal appeal, let bailable warrant for a sum of Rs. 5,000/- be also issued against respondent No.2- Bijayendra Kumar Yadav through concerned Superintendent of Police for his appearance before this Court on **15th December, 2026**.

12. Accordingly, the present Cr.M.P. stands disposed of.

13. List the acquittal appeal on **15th December, 2026**.

14. A copy of this order be sent to the concerned trial Court as well as the concerned Superintendent of Police for onward compliance.

Sd/-
(Narendra Kumar Vyas)
Judge

Sd/-
(Sudhir Kumar)
Judge

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