

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CRMP No.832 of 2020**

State Of Chhattisgarh Through Police Station Shankargarh, District Balrampur  
Ramanujganj Chhattisgarh ---- **Petitioner**

**Versus**

Rahul Paikra S/o Radheshyam Paikra Aged About 29 Years Resident Of  
Village Sarnadih, Police Station Shankargarh, District Balrampur Ramanujganj  
Chhattisgarh ---- **Respondent**

---

For State/Petitioner : Mr. Lalit Jangde, Dy. Government Advocate

---

**DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Hon'ble Shri Justice Narendra Kumar Vyas**

**Order On Board**

**31/03/2021**

Heard on prayer for condonation of delay in filing appeal as well as prayer for grant of leave to appeal.

Even if we were inclined to condone the delay in filing the instant appeal, we do not consider present to be a fit case for grant of leave to appeal because all the important prosecution witnesses who have been cited as eyewitness of the incident have turned hostile and on the contrary, the prosecution witness has stated that the deceased after taking meals with others, had gone out of the house in the night to respond to the call of nature but she did not return. Thereafter, a search was made out and her dead body was found in the bushes. Therefore, even if the report in which medical report shows that it was a case of homicidal death, in the absence of there being any ocular testimony or any other circumstantial evidence connecting the accused with the murder of the deceased, learned Trial Court was left with no option but to grant acquittal by giving him benefit of doubt with which we do not find any exception warranting any interference, given the limited scope of interference against the judgment of acquittal. Therefore, the CRMP is dismissed.

Sd/-

**(Manindra Mohan Shrivastava)**  
Judge

Sd/-

**(Narendra Kumar Vyas)**  
Judge