



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 323 of 2022

Satya Prakash Bhagat **Versus** State Of Chhattisgarh
Order Sheet

20/01/2026	Heard Mr. D.N. Prajapati, learned counsel for the applicant. Also heard Mr. Vivek Sharma, learned Advocate General along with Ms. Vaishali Mahilong, learned Deputy Govt. Advocate, appearing for the Non-applicant/State. Learned counsel for the applicant submits that the applicant is aggrieved by the impugned judgment dated 22.02.2022 passed by the learned 5th Additional Sessions Judge, Ambikapur, arising out of the judgment dated 17.01.2020 passed by the learned Judicial Magistrate First Class, Ambikapur. By the said judgment dated 17.01.2020, the learned JMFC had acquitted the applicants on the ground that the prosecution failed to prove its case beyond reasonable doubt. Thereafter, the respondent/State preferred an appeal against acquittal before the appellate Court, which was allowed and the matter was remanded to

the trial Court for fresh consideration after affording due opportunity of hearing to both the parties. He further submits that the matter has been pending for the last six years and despite repeated opportunities, the prosecution has failed to examine its witnesses. Copies of the relevant order-sheets of the trial Court have been annexed to demonstrate that several opportunities were granted.

In the above circumstances, learned State counsel is directed to obtain specific instructions and inform this Court as to why the prosecution witnesses did not appear before the trial Court despite issuance of bailable as well as non-bailable warrants. It is noted that such non-appearance resulted in the acquittal of the applicant by the learned trial Court, against which the State's appeal was allowed and the matter was remanded with an opportunity to the prosecution to lead evidence afresh.

List the matter on **16th February, 2026.**

**Sd/-
(Ramesh Sinha)
Chief Justice**