

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No. 766 of 2020

- Gajendra Kumar Nishad @ Latkhor son of late Premlal Nishad, aged about 23 years, Caste- Kewant, resident of Chamendra-Badepara, Police Station- Nagri, District Dhamtari (C.G.)

---- Appellant

Versus

- State of Chhattisgarh Through: the Station House Officer, Police Station- Sihawa, District Dhamtari (C.G.)

---- State/Respondent

For Appellant : Shri Sanjeev Kumar Sahu, Advocate

For Respondent/State : Shri Vimlesh Bajpai, Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

17.12.2020

1. This appeal by the accused/appellant under Section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 11.06.2020 passed by the Special Sessions Judge (ST/SC Act), District Dhamtari (C.G.) in Special Criminal Case No. 09/2020, refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 09.03.2020 in connection with Crime No. 25/2020 for the offence punishable under Sections 363, 366 & 376 of IPC; Sections 4 & 6 of POCSO Act and Section 3(1) (w) (1) & 3 (2) (v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station- Sihawa, District Dhamtari (C.G.).
2. Prosecutrix alongwith her elder father namely Narayan Netam is connected through video conferencing from District Legal Services Committee, Dhamtari and they have objection to grant of bail to the appellant by this Court.
3. At the very outset, learned counsel for the appellant seeks to withdraw this appeal with liberty to file a fresh appeal as and when occasion arises.
4. Accordingly, the appeal is dismissed as withdrawn with the liberty as stated above.

Sd/-
(Gautam Chourdiya)
Judge