

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 973 of 2020**

- Peelsai Potai, S/o Dhansingh Potai, aged about 28 Years, R/o Village- Chindhi, PS- Bayanar, District- Kondagaon, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through the Police Station- Bayanar, District- Kondagaon, Chhattisgarh.

---- Respondent

For Appellant
For State

Shri Shobhit Koshta, Advocate.
Shri Dinesh Tiwari, Deputy G.A.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

10/12/2020

1. This appeal by the accused/appellant under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 23.11.2020 passed by the Special Judge (SC & ST Act), Kondagaon, District Kondagaon, C.G., refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 03.09.2020 in connection with Crime No.02/2020 for the offence punishable under Sections 363, 370(3)(4), 376, 376(2)(n), 506 of Indian Penal Code, under Section 6 of POCSO Act and under Sections 3(2)(v), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Bayanar, District Kondagaon, C.G.

2. Learned counsel for the appellant seeks to withdraw this appeal with liberty to file a duly constituted bail application (under Section 439 of the Code of Criminal Procedure) afresh. However, he prays for return of certified copy of the impugned order.
3. Accordingly, the appeal stands dismissed as withdrawn with the aforesaid liberty.
4. Registry is directed to return the certified copy of the impugned order to the counsel for the appellant on his furnishing true authenticated Xerox of the same.

Sd/-
Gautam Chourdiya
Judge

Akhilesh