

**HIGH COURT OF CHHATTISGARH, BILASPUR****Criminal Appeal No. 48 of 2021**

- Jitendra Jaiswal, S/o Doma Jaiswal, aged about 30 years, Occupation – Catering (Halwai), R/o Village Mayapur, Ambikapur, Near Mother Teresa School, Police Station and Tahsil Ambikapur, District Surguja (C.G.). Permanent Resident of Village – Aalamganj, Near Old Police Station, Sasaram (Bihar)

**---- Appellant****Versus**

- State of Chhattisgarh, Through: the Station House Officer, Police Station AJAK, Ambikapur, District Surguja (C.G.)

**---- State/Respondent**


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| For Appellant        | : | Ms. K. Radhika, Advocate appears on behalf of<br>Shri V.K. Pandey, Advocate |
| For Respondent/State | : | Shri Sameer Uraon, Government Advocate                                      |

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**Hon'ble Shri Justice Gautam Chourdiya, J****Order on Board****15.02.2021**

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 24.12.2020 passed by the Special Judge (Atrocities) Surguja, Ambikapur (C.G.) in Bail Application No. 1028/2020, refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 17.12.2020 in connection with Crime No. 02/2020 for the offence punishable under Section 376 (2) (n) of IPC and Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station- AJAK, Ambikapur, District Surguja (C.G.).
2. Learned counsel for the appellant seeks to withdraw this appeal with liberty to file a fresh appeal as and when occasion arises.
3. Accordingly, the appeal is dismissed as withdrawn with the liberty as stated above.
4. Certified copy of the impugned order of the trial Court be returned to the counsel for the appellant after retaining the photocopy of the same.

Sd/-  
**(Gautam Chourdiya)**  
 Judge