

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 662 of 2020

1. Shivnarayan Yadav Son Of Shri Lekhram Yadav, Aged About 19 Years, Resident Of Village Dhighari (Wrongly Mentioned As Dihari), Police Station Mandir Hasaud, District Raipur (C.G.).

---- Appellant

Versus

1. State Of Chhattisgarh, Through Station House Officer, Police Station Mandir Hasaud, District Raipur (C.G.).

---- Respondent

For Appellant : Mr. A.D. Kuldeep, Advocate.
For Respondent/State : Dr. (Ms.) Veena Nair, Dy. Advocate General.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

22/02/2021

- 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 31/07/2020 passed by the Special Judge (Atrocities), Raipur (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 23/09/2019 in connection with Crime No. 441/2019 for the offence punishable under Sections 376(2)(अ)(ट) of IPC, under Section 6 of POCSO Act and under Section 3(1)(w)(ii), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and registered at Police Station Mandir Hasaud, District Raipur (C.G.).
- 2) Learned counsel for the appellant submits that he does not want to prosecute this appeal and seeks to withdraw the same with liberty to file appropriate application before the appropriate Bench. Further he prays for return of certified copy of the

impugned order.

- 3) Counsel for the State has no objection to the above prayer.
- 4) Permission granted.
- 5) Accordingly, the Criminal Appeal is **dismissed** as **withdrawn** with aforesaid liberty.
- 6) Registry is directed to return 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

Chandrakant