

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 731 of 2020

1. Gopi Nishad Son Of Shravan Nishad, Aged About 20 Years, Resident Of Bijradih, Police Station Gidhpuri, District Balodabazar-Bhatapara (C.G.).

---- Appellant

Versus

1. State Of Chhattisgarh, Through The Station House Officer, Police Station Gidhpuri, District Balodabazar-Bhatapara (C.G.).

---- Respondent

For Appellant : Mr. Satya Prakash Verma, Advocate.
For Respondent/State : Mr. Dinesh R.K. Tiwari, Dy. Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

09/02/2021

- 1) This appeal by the accused/appellant under Section **14(A)(ii)** of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 10/07/2020 passed by the Special Sessions Judge (Atrocities) Act, Balodabazar (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 10/06/2020 in connection with Crime No. 50/2020 for the offence punishable under Sections 363, 366 & 376 of IPC, under Section 4, 17 & 18 of POCSO Act and under Section 3 (2)(v-A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and registered at Police Station Gidhpuri, District Balodabazar-Bhatapara (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) As per service report though father of the prosecutrix has been duly served but neither he is present in person nor is there any representation on his behalf.
- 5) Permission granted.
- 6) Accordingly, the Criminal Appeal is **dismissed** as **withdrawn** with aforesaid liberty.
- 7) 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