

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CRA No. 769 of 2020**

1. Kanak Das Mahant S/o Late Shyam Das Mahant, Aged About 61 Years, R/o Village Gharipakhana, Tahsil Podi Uproda, Police Station Katghora, District Korba (C.G.).

**---- Appellant**

**Versus**

1. State Of Chhattisgarh Through Station House Officer Police Station A.J.K. Korba, District Korba (C.G.).

**---- Respondent**

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For Appellant : Mr. C.P. Lahrey, Advocate appears on behalf of Mr. Dharmesh Shrivastava, Advocate.  
For Respondent/State : Dr. (Ms.) Veena Nair, Dy. Advocate General.

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**Hon'ble Justice Shri Gautam Chourdiya**

**Order on Board**

**11/02/2021**

- 1) This appeal by the accused/appellant under Section **14A** of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 22/07/2019 passed by the Special Judge (SC/ST Act), District Korba (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant has been arrested in connection with Crime No. 14/2019 for the offence punishable under Sections 376, 294 & 506 of IPC, under Section 4 & 6 of POCSO Act and under Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and registered at Police Station A.J.K. Korba, District Korba (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- 5) Accordingly, the Criminal Appeal is **dismissed** as **withdrawn** with aforesaid liberty.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