

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 743 of 2020

1. Vinod Kumar S/o Kaleshwar, Aged About 18 Years, R/o Village Shivpur, Police Station And Tahsil Pratappur, District Surajpur (C.G.).

---- Appellant

Versus

1. State Of Chhattisgarh, Through Station House Officer, Police Of Police Station Pratappur, District Surajpur (C.G.).

---- Respondent

For Appellant	:	Mr. Anil Gulati, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

11/02/2021

- 1) This appeal by the accused/appellant under Section **14(A)(2)** of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 24/06/2020 passed by the Additional Sessions Judge/Fast Track Special Court, Surajpur, District Surajpur (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 23/12/2019 in connection with Crime No. 266/2019 for the offence punishable under Sections 363, 366 & 376 (2) (ढ),2(अ)of IPC, under Section 4 & 6 of POCSO Act and under Section 3(1)(अ)(i), 3(2-v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and registered at Police Station Pratappur, District Surajpur (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) Prosecutrix alongwith her brother Ritesh are present in person and raised objection to release of the appellant on bail.
- 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- 6) Accordingly, the Criminal Appeal is **dismissed** as **withdrawn** with aforesaid liberty.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