

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 757 of 2020

1. Ujjwal Dey @ Babu S/o Rajkumar Dey, Aged About 25 Years, Bkharupara, Narayanpur, P.S. Narayanpur, District Narayanpur (C.G.).

---- Appellant

Versus

1. State Of Chhattisgarh, Through Police Station Narayanpur, District Narayanpur (C.G.).

---- Respondent

For Appellant	: Mr. Raza Ali, Advocate.
For Respondent/State	: Mr. Dinesh R.K. Tiwari, Dy. Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

29/01/2021

- 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 16/09/2020 passed by the Special Judge SCST (PA) Act, 1989 Kondagaon (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 01/03/2019 in connection with Crime No. 34/2019 for the offence punishable under Sections 376(D), 354 in alternate Section 354 read with Section 34, 323 in alternate Section 323 read with Section 34 of IPC, 506(B) of IPC, under Section 6 of POCSO Act in alternate Section 6 of POCSO Act read with Section 34 of IPC, Section 10 of POCSO Act in alternate Section 10 read with Section 34 of IPC and under Section 3(1)(v) & 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and registered at Police Station Narayanpur, District Narayanpur (C.G.).

- 2) Learned counsel for the appellant submits that he does not want to prosecute this appeal and seeks to withdraw the same. However, he prays for grant of liberty to file afresh at the appropriate stage. 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- 5) Accordingly, the Criminal Appeal is dismissed as withdrawn with aforesaid liberty.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