

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 811 of 2020**

- Teman Lal Sahu, S/o Khuman Sahu, aged about 21 Years, R/o Village - Ghursa, Police Station - Panduka, District - Gariyaband Chhattisgarh.

----Appellant**Versus**

- State of Chhattisgarh, Through - the Station House Officer, Police Station - Panduka, District - Gariyaband Chhattisgarh.

---- Respondent

For Appellant
For State

Shri Kamlesh Kumar Pandey, Advocate.
Shri Vimlesh Bajpai, Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

05/02/2021

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 29.08.2020 passed by the Special Judge, Atrocities, Raipur, C.G., refusing to allow his regular bail under Section 439 Cr.P.C. The appellant has been arrested in connection with Crime No.02/2019 for the offence punishable under Section 376(n) of the Indian Penal Code, under Section 6 of Protection of Children from Sexual Offences Act and under Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Panduka, District Gariyabandh, C.G.

2. Prosecutrix appeared before this Court alongwith her parents and she has not raised any objection to the appeal filed by the appellant to release him on bail but looking to the offence related to POCSO Act, this Court has no jurisdiction to hear this matter.
3. 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. However, he prays for return of certified copy of the impugned order.
4. Permission granted.
5. Accordingly, the appeal stands dismissed as withdrawn with the aforesaid liberty.
6. Registry is directed to return the 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

Akhilesh