

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 808 of 2020

1. Guddu Prajapati S/o Baburam Prajapati, Aged About 22 Years,
 2. Sonu Lal Prajapati S/o Baburam Prajapati, Aged About 19 Years,
- Both are R/o Village Sapha, P.S. Chandani Biharpur, District Surajpur (C.G.).

---- Appellants

Versus

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

---- Respondent

For Appellants : Mr. Ashok Kumar Shukla, Advocate.
For Respondent/State : Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

10/02/2021

- 1) This appeal by the accused/appellants under Section **14A** of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 17/09/2020 passed by the Special Sessions Judge (Atrocities) Surajpur, District Surajpur (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellants are in jail since 09/07/2020 in connection with Crime No. 08/2019 for the offence punishable under Sections 376/34 of IPC, under Section 4 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.A.K.) Surajpur, District Surajpur (C.G.).
- 2) Learned counsel for the appellants submit 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 mother Smt. Kaushlya are connected through video conferencing from District Legal Services Committee, Surajpur.
- 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- 6) Accordingly, the Criminal Appeal is **dismissed** as **withdrawn** with aforesaid liberty.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