

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 836 of 2020

1. Shankar Dayal S/o Jhunnu Dayal Panika, Aged About 19 Years, R/o Dharampur Sarnapara, Police Station Bhatgaon, District Surajpur (C.G.).

---- Appellant

Versus

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

(Wrongly Mentioned As Police Station Bhatgaon)

---- 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 07/10/2020 passed by the 1st Additional Sessions Judge, Surajpur, District Surajpur (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 30/04/2018 in connection with Crime No. 29/2019 for the offence punishable under Sections 363, 366 & 376(3) & 302 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 AJAK Surajpur, 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) 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- 5) Accordingly, the Criminal Appeal is **dismissed** as **withdrawn** with aforesaid liberty.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