

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 857 of 2020

1. Rambabu @ Bauwa S/o Hiranman Kashi, Aged About 20 Years, Caste Kewat, Village/Post Kuberpur, Police Station Biharpur (Chandni), Tehsil Odagi, District Surajpur (C.G.).

---- Appellant

Versus

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

---- Respondent

For Appellant : Mr. Shakti Raj Sinha, Advocate.

For Respondent/State : Dr. (Ms.) Veena Nair, Dy. Advocate General.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

25/03/2021

- 1) This appeal by the accused/appellant under Section **14A** of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 25/09/2020 passed by the Special Judge (Atrocities Act), Surajpur, District Surajpur (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 14/08/2020 in connection with Crime No. 30/2020 for the offence punishable under Sections 376, 341 & 506 of IPC, under Sections 3 & 4 of POCSO Act and under Sections 3(1)(r)(s) & 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 as well as depositions of witnesses.

- 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- 5) Accordingly, the Criminal Appeal is **dismissed** as **withdrawn** with aforesaid liberty.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 as well as depositions of the witnesses to the Counsel for the appellant on his furnishing true authenticated xerox of the same.

-Sd/-
(Gautam Chourdiya)
Judge

Chandrakant