

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 869 of 2020**

- Khagesh Tiwari, S/o Deendayal @ Devidayal Tiwari, aged about 26 Years, R/o Masna, P.S. Lormi, District Mungeli Chhattisgarh.

----Appellant**Versus**

1. State of Chhattisgarh, Through Police of P.S. Lormi, District Mungeli Chhattisgarh.
2. Samaru Gond, S/o Baburam Gond, R/o Masna, P.S. Lormi, District Mungeli Chhattisgarh.

---- Respondent

For Appellant	Shri Pallav Mishra, Advocate.
For State	Shri Dinesh Tiwari, Deputy G.A.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****12/02/2021**

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 20.10.2020 passed by the Special Judge, (POCSO Atrocity), Mungeli, C.G., refusing to allow his regular bail under Section 439 Cr.P.C. The appellant has been arrested in connection with Crime No.399/2020 for the offence punishable under Sections 363, 366, 376, 343 and 506 of Indian Penal Code, under Sections 4 & 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 Lormi, District Mungeli, 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. However, he prays for return of certified copy of the impugned order.
3. Permission granted.
4. Accordingly, the appeal stands dismissed as withdrawn with the aforesaid liberty.
5. 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