

NAFR

HIGH COURT of CHHATTISGARH, BILASPUR**MCRC No. 7390 of 2021**

- Gendlal Dewangan S/o Shri Kapilnath Dewangan aged about 34 Years R/o Azad Chouk Simga, District Baloda Bazar Bhatapara Chhattisgarh.

-----Applicant

VERSUS

- State of Chhattisgarh Through Police Station Jashpur, District Jashpur, Chhattisgarh

-----Non-applicant

For Applicant : Mr. Arun Kumar Shukla, Adv.
For Non-applicant : Mr. B.L. Sahu, Panel Lawyer

Single Bench: Hon'ble Shri Parth Prateem Sahu, Judge**ORDER****15/12/2021**

1. Learned counsel for applicant submits that at the time of filing bail application, offence registered against applicant was under Sections 420 & 376 of IPC only. After completion of investigation, police filed charge-sheet including an offence under Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, hence, bail application under Section 439 CrPC would not be maintainable in terms of provisions of Section 14-A of the Act of 1989. He submits that he may be permitted to withdraw this application filed under Section 439 CrPC with liberty to file appeal under Section 14-A of the Act of 1989. He further prays that a direction be issued to Registry to return back certified copy of impugned order Annexure A-1.
2. Learned State counsel would support the submission of learned counsel for applicant.
3. In view of submission made by learned counsel for applicant, application is dismissed as withdrawn with liberty as prayed for.
4. Registry is directed to return back certified copy of impugned order after retaining photocopy of the same in record.

Sd/-
(Parth Prateem Sahu)
Judge