

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Appeal No. 878 of 2020**

- Mohammad Ismail, S/o Mohammad Ikbali, aged 19 years, R/o Govind Nagar, Sirgitti, P.S. Sirgitti, District Bilaspur (C.G.)

---- Appellant**Versus**

- State of Chhattisgarh Through The Station House Officer, P.S. Scheduled Caste Welfare, District Bilaspur (C.G.)

---- State/Respondent

For Appellant : Shri Dharmesh Shrivastava, Advocate

For Respondent/State : Shri Vimlesh Bajpai, Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****02.02.2021**

1. This appeal by the accused/appellant under Section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 14.10.2020 passed by the Special Judge SC/ST(PA) Act, District Bilaspur (C.G.) in Bail Application No. 1416/2020, refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 08.10.2020 in connection with Crime No. 146/2019 for the offence punishable under Sections 363, 366, 354, 342 & 323 of IPC; Section 12 of the Protection of Children from Sexual Offences Act and Section 3 (1) (xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Scheduled Caste Welfare, District Bilaspur (C.G.).
2. Prosecutrix appeared before this Court in person and she has no objection to grant of bail to the appellant by this Court.
3. Learned counsel for the appellant seeks to withdraw this appeal with liberty to file appropriate application before the appropriate bench.
4. Accordingly, the appeal is dismissed as withdrawn with the liberty as stated above.
5. Certified copy of the impugned order of the trial Court be returned to the counsel for the appellant after retaining the photocopy of the same.

Sd/-
(Gautam Chourdiya)
 Judge