

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 980 of 2020

1. Mahesh S/o Shivilal, Aged About 22 Years, By Caste Agariya R/o Village Khadadorna, P.S. Sitapur, District Surguja (C.G.).

---- Appellant

Versus

1. State Of Chhattisgarh, Through The District Magistrate Ambikapur, District Surguja (C.G.).
2. Anand Kumar Kujur S/o Jairam Kujur, Aged About 37 Years, R/o Dandpara, Sureshpur Sitapur Ambikapur, District Surguja (C.G.).
(Complainant)

---- Respondents

For Appellant	:	Mr. Sanjay Pathak, Advocate.
For Respondents/State	:	Mr. Sameer Uraon, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

22/02/2021

- 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 28/10/2020 passed by the Special Judge (Atrocities) Ambikapur, District Surguja (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 25/09/2020 in connection with Crime No. 110/2020 for the offence punishable under Sections 363, 366 & 376 (2)(n) of IPC, under Section 5(1) & 6 of POCSO Act and under Section 3(2-v), 3(1)b(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and registered at Police Station Sitapur Ambikapur, District Surguja (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) Prosecutrix alongwith her father Anand Kujur are present in person and they have no objection to release of the appellant on bail.
- 5) Permission granted.
- 6) Accordingly, the Criminal Appeal is **dismissed** as **withdrawn** with aforesaid liberty.
- 7) 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