

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Appeal No. 990 of 2020**

- Avinash Rai S/o Shri Vinod Kumar Rai, Caste Bramhan, Aged about 30 years, R/o Housing Board Bhilai, District Durg (C.G.)

---- Appellant**Versus**

- State of Chhattisgarh Through : Station House Officer, P.S. Balod, District Balod (C.G.)

---- State/Respondent

For Appellant : Shri Avinash Chand Sahu, Advocate

For Respondent/State : Shri Dinesh Kumar Tiwari,
Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****01.02.2021**

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 11.11.2020 passed by the Sessions Judge, Balod, District Balod (C.G.) in Bail Application No. 377/2020, refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 31.10.2020 in connection with Crime No. 338/2020 for the offence punishable under Sections 294, 323 & 334 of IPC; Section 75 of the Juvenile Justice (Care and Protection of Children), Act and Section 3 (2) (v) (1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Balod (C.G.).
2. It is stated that notice has been served upon the prosecutrix/complainant, but, neither the complainant is present nor is there any representation on behalf of her.
3. Learned counsel for the appellant seeks to withdraw this appeal with liberty to file fresh appeal as and when occasion arises.
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 Accordingly, the appeal is dismissed as withdrawn with the liberty as stated above.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