

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 39 of 2021

1. Nitesh Chouhan S/o Paras Chouhan, Aged About 24 Years, R/o Sakin Reghwa, Sahapur Koriyarpur, Police Station Mohammadabad District Mau (Uttar Pradesh).

---- Appellant

Versus

1. State Of Chhattisgarh, Through The District Magistrate, District Balod (C.G.).

---- Respondent

For Appellant	:	Ms. Rahul Sharma, Advocate.
For Respondent/State	:	Dr. (Ms.) Veena Nair, Dy. Advocate General

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

18/02/2021

- 1) This appeal by the accused/appellant under Section **14(A)** of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 17/11/2020 passed by the Special Sessions Judge (under S.T./S.C. Act), Balod, District Balod (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 28/09/2020 in connection with Crime No. 66/2018 for the offence punishable under Sections 363, 366(A), 376(2)(N)(3) of IPC, under Section 4, 5(1) & 6 of POCSO Act and under Section 3(A)(VA) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and registered at Police Station Dondilohara, District Balod (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) Permission granted.
- 5) Accordingly, the Criminal Appeal is **dismissed** as **withdrawn** with aforesaid liberty.
- 6) 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