

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 2 of 2021**

- Tikeshwar Jhariya, S/o Shri Kanhu Ram Jhariya, aged about 28 Years, Residence of Village Taulipali, Thana and Tahsil Kartala, District Korba (Chhattisgarh).

----Appellant**Versus**

- State of Chhattisgarh, Through Police Station Kartala / City Superintendent of Police Korba, District Korba (Chhattisgarh).

----Respondent

For Appellant	Shri Vikash Pandey, Advocate.
For State	Shri Sameer Uraon, Government Advocate.
For Objector	Shri A.L. Singroul, Advocate.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

09/02/2021

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 20.11.2020 passed by the Special Judge (SC/ST Act), Korba, District Korba, C.G., refusing to allow his regular bail under Section 439 Cr.P.C. The appellant has been arrested in connection with Crime No.184/2020 for the offence punishable under Section 376 of the Indian Penal Code, under Sections 4 & 6 of Protection of Children from Sexual Offences Act and under Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Kartala, District Korba, C.G.

2. Prosecutrix appeared before this Court alongwith her father and counsel Shri A.L. Singroul and she has not raised any objection to the appeal filed by the appellant to release him on bail but looking to the offence related to POCSO Act, this Court has no jurisdiction to hear this matter.
3. 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. However, he prays for return of certified copy of the impugned order.
4. Permission granted.
5. Accordingly, the appeal stands dismissed as withdrawn with the aforesaid liberty.
6. Registry is directed to return the 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

Akhilesh