

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 1027 of 2020

1. Rooplal Yadav S/o Bihau Ram Yadav, Aged About 32 Years R/o Village- Tumdikasa (Wrongly Mentioned As Tumdikaya), Police Station Ambagarh Chowki, District- Rajnandgaon (C.G.).

---- Appellant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station Ambagarh Chowki, District- Rajnandgaon (C.G.).

---- Respondent

For Appellant	:	Mr. Abhishek Sharma, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

28/01/2021

- 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 03/12/2020 passed by the Special Judge (Atrocity Act), Rajnandgaon (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 28/08/2020 in connection with Crime No. 152/2020 for the offence punishable under Sections 376, 376(2)n, 376(3) of IPC, under Section 4 & 6 of POCSO Act and under Section 3 (2)(vA) & 3(1)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and registered at Police Station Ambagarh Chowki, District- Rajnandgaon (C.G.).
- 2) Learned counsel for the appellant submits that he does not want to prosecute this appeal and seeks to withdraw the same. However, he prays for grant of liberty to file afresh at the appropriate stage.

- 3) Counsel for the State has no objection to the above prayer.
- 4) Prosecutrix alongwith her father Tuman Lal are present in person and raised objection to release of the appellant on bail.
- 5) Permission granted.
- 6) Accordingly, the Criminal Appeal is dismissed as withdrawn with aforesaid liberty.

**-Sd/-
(Gautam Chourdiya)
Judge**

Chandrakant