

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****CRA No. 1017 of 2020**

- Zahir Khan, S/o Zabbar Khan, aged about 25 Years, R/o Village Girari, P.S. and Tahsil Pendra, District- Gaurella-Pendra-Marwahi (C.G.).

**----Appellant****Versus**

- State of Chhattisgarh, Through the Police Station Pendra, District- Gourela-Pendra-Marwahi C.G.

**---- Respondent**


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For Appellant  
For State

Shri Achyut Tiwari, Advocate.  
Shri Vimlesh Bajpai, Government Advocate.

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**Hon'ble Shri Justice Gautam Chourdiya****Order on Board****08/02/2021**

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 28.10.2020 passed by the Special Judge, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Bilaspur, C.G., refusing to allow his regular bail under Section 439 Cr.P.C. The appellant has been arrested in connection with Crime No.109/2020 for the offence punishable under Sections 452, 354 & 323 of Indian Penal Code, under Section 8 of Protection of Children from Sexual Offences Act. During investigation, at the time of filing charge sheet police added Section 3(2)(v)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Act, 1989 registered at Police Station Pendra, District Gaurela-Pendra-Marwahi, 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. However, he prays for return of certified copy of the impugned order.
3. Permission granted.
4. Accordingly, the appeal stands dismissed as withdrawn with the aforesaid liberty.
5. 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