

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 47 of 2021

1. Naresh Tiwari S/o Kamlesh Tiwari, Aged About 19 Years, R/o Deurpara, Police Station Sihawa, Tahsil Nagri, District Dhamtari (C.G.).

---- Appellant

Versus

1. State Of Chhattisgarh, Through, Station House Officer, Police Station - AJAK Dhamtari, District Dhamtari (C.G.).
2. Ku. Daleshwari D/o Chandrabhan Singh Markam, Aged About 16 Years And 8 Months, R/o Village Ravansinghi, Village Panchayat Sirsida Tahsil Nagri, Post Kamariya, Police Station Sihawa, District Dhamtari (C.G.).

---- Respondents

For Appellant	: Mr. Trevenee Shankar Sahu, Advocate.
For Respondents/State	: Dr. (Ms.) Veena Nair, Dy. Advocate General.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

12/02/2021

- 1) This appeal by the accused/appellant under Section **14A** of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 16/12/2020 passed by the Special Judge (S.C.S.T. Act) Dhamtari (C.G.), refusing to allow his regular bail under Section 439 Cr.P.C. The appellant is in jail since 21/11/2020 in connection with Crime No. 117/20 for the offence punishable under Sections 363, 366 & 376 of IPC, under Section 6 of POCSO Act and under Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and registered at Police Station AJAK Dhamtari, District Dhamtari (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- 5) Accordingly, the Criminal Appeal is **dismissed** as **withdrawn** with aforesaid liberty.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