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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.2513 OF 2017

Ravindra s/o Shankar Kamble,
Age: 57 years, Occu: Service,
R/o. H.No. 10, Pargatsheel,
Layout Wardha Road, Nagpur,
Dist. Nagpur

..APPLICANT

VERSUS

The State of Maharashtra,
Through the Police Inspector,
Kotwali Police Station, Ahmednagar,
Tq. & Dist. Ahmednagar

..RESPONDENT

Mr K. N. Shermale, Advocate for applicant;
Mr C. V. Dharurkar, A. P. P. for respondent

CORAM : NITIN W. SAMBRE, J.

DATE : 12th September, 2017

ORAL ORDER:

Before commencement of hearing of the application, Mr Shermale, learned Counsel appearing on behalf of the applicant invites attention of this Court to subsequent development viz. retirement of the applicant-accused from active service of Vasantrya Naik Vimukta Jatis and Nomadic Tribes Development Corporation Ltd. due to superannuation.

2. Mr Shermale submits that the aforesaid subsequent development will keep the present applicant away from the working of the aforesaid Corporation and he would not be in a position to interfere in any manner whatsoever in the functioning of the Corporation, in relation to which the

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offence is alleged against him. He would then urge that the other developments viz. filing of charge-sheet and release of other accused on bail are also required to be appreciated.

3. Since the above referred subsequent developments were not available before the Court below when the order of rejection of bail application was passed, Mr Shermale makes a motion for withdrawal of the present application, with liberty to approach the learned Sessions Court with a prayer for grant of regular bail as the applicant is behind bars since about nine months.

4. In view of above, Criminal Application stands disposed of as withdrawn with liberty as prayed for.

5. It is expected of the learned Sessions Judge to decide the application expeditiously, without being influenced by the findings recorded by this Court while rejecting the earlier application and he shall also take into account subsequent development viz. retirement of the applicant from the service, which will keep him away from the active working of the aforesaid Corporation.

(NITIN W. SAMBRE, J.)

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