

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 544 OF 2018
IN
CRIMINAL APPEAL NO. 940 OF 2012

Yashwant Savalaram Bhoir	.. Applicant
V/s	
The State of Maharashtra	.. Respondent

Mr. D.G. Khamkar for the applicant.
Mr. J.P. Yagnik, APP for the State.

**CORAM: S.C. DHARMADHIKARI &
PRAKASH D. NAIK, JJ.**

DATE : 13TH APRIL 2018

P.C.:

In the light of our earlier orders, and particularly the Bombay High Court Appellate Side Rules, and the provisions titled as “Legal Practitioners” contained in Rule 2 of Part III Chapter XXXII thereof, Mr. Daulat G. Khamkar, appearing for the applicant seeking temporary bail, desires to withdraw the application.

2. He says that he has instructions to withdraw the application. However, we wish to clarify and particularly that this applicant has already engaged Mr. Ganesh Gole as his advocate and has filed Criminal Appeal No. 940 of 2012 against conviction and sentence. That appeal is already admitted by this Court. After that

appeal was admitted, it is the same advocate who could have filed this application for temporary bail unless he was discharged or he has returned the papers and gave his no objection for engaging Mr. Khamkar as the advocate.

3. Since it was pointed out to us that there is no such no objection nor Mr. Gole is discharged, as indicated by the Court, then this applicant Yashwant Savalaram Bhoir – original accused no.10 detained in custody and lodged at Kolhapur Central Prison, Kolhapur, will not be able to pursue this application at all, that Mr. Khamkar seeks leave to withdraw this application. It is allowed to be withdrawn by clarifying that no application of original accused no.10 for temporary bail on the ground stated in para 3 of this application will now be entertained.

(PRAKASH D. NAIK, J.)

(S.C. DHARMADHIKARI, J.)