

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1651 of 2018

Mr. Duipal K.Vaishya

...Applicant.

Vs.

The Union Territory of Daman & Diu.

...Respondent.

Mr. Pawan Mali for the Applicant.

Mrs. Rutuja Ambekar, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 21st November, 2018

PC :

1. By the impugned Order dated 19.5.2018 passed below Exh.6 in Sessions Case No.2 of 2018 by the learned Sessions Judge Diu and Daman the applicant was granted liberty to file a fresh application for bail after receipt of report from the Forensic Science Laboratory. The present application was filed prior to receipt of the said Forensic Science Laboratory report by impugning the said Order dated 19.5.2018.

2. Mr. Maii, the learned counsel appearing for the applicant submitted that during the intervening period the applicant has received the said report and in view thereof, the applicant is at liberty to file a fresh application for bail.

3. He therefore, seeks leave to withdraw the present application with liberty to file a fresh application for bail before the Sessions Court as per the liberty granted by the trial Court by the impugned Order.

Leave and liberty granted.

4. Disposed off as withdrawn.

(A.S.GADKARI, J.)