

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

BAIL APPLICATION No. 2511 OF 2017

Mohsin Ayub Khan

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Piyush Toshnival i/b. Mr. Aashish Satpute for Applicant

Mr. Vinod Chate- APP

CORAM : SMT. SADHANA S. JADHAV, J.

DATE: JUNE 20, 2018

P.C.

1. The Learned APP, upon instructions, submits that in NDPS Sessions Case No. 37 of 2017, the trial has commenced. The charge is framed and the prosecution has examined one witness.
2. In this view of the matter, it would not be appropriate to consider the present application, filed under Section 439 of Cr.P.C., if recording of evidence has commenced.
3. In view of this, the learned counsel for the Applicant seeks liberty to withdraw the present application.

4. Liberty as prayed for is granted in the interest of justice.

Application stands dismissed as withdrawn.

[SMT. SADHANA S. JADHAV, J.]