

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

BAIL APPLICATION NO. 2544 OF 2017

Anil Gorakhnath Mhaske. ... Applicant.

Versus

The State of Maharashtra. ... Respondent.

Mr. Viral K. Rathod, advocate for Applicant.

Mrs. Veera Shinde, APP for State.

**CORAM : SMT.SADHANA S. JADHAV,J
DATE : JANUARY 8, 2018**

P.C.:

1 Learned APP submits that the trial has commenced and the prosecution has examined one witness. After arguing at length, learned Counsel for the applicant upon instructions seeks liberty to withdraw the application in view of the fact that the trial has commenced and the first informant has been examined. Hence, it would not be appropriate to consider the application under section 439 of the Code of Criminal Procedure, 1973 in the midst of the trial.

Hence, the application stands dismissed as withdrawn and disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)