

Anand

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

BAIL APPLICATION NO. 333 OF 2019

Rahul Ramswayanwar Tiwari alias .Applicant
Raj Kamal Nishad

Vs.

The State of Maharashtra & anr. .Respondents

Mr. M. P. Mishra, Advocate, for the Applicant
Mr. A. A. Palkar, APP, for the Respondents – State

CORAM : REVATI MOHITE DERE, J.

DATE : 11.06.2019

P.C.

. Heard learned counsel for the parties.

2. The principal grievance of the Applicant in the aforesaid Application is that the Applicant was a Juvenile in conflict with law, at the time when the alleged incident took place i. e. the Applicant was about 16 years and 9 months.

3. On the last date, the learned APP was directed to take instructions and verify the said position, pursuant to the grievance

made by the learned counsel for the Applicant. Learned APP on instructions of PSI V. B. Sawant, Meghwadi Police Station submits that the prosecution had moved an Application yesterday, before the concerned Sessions Judge seeking transfer of the case from the Sessions Court to the Juvenile Court, as the Applicant was a Juvenile at the time of the alleged incident. He states that the learned Sessions Judge has passed appropriate orders transferring the case from his Court to the Juvenile Board. In view of the aforesaid, learned counsel for the Applicant does not press this Application and seeks leave to withdraw the same with liberty to file an appropriate Application for bail, before the Juvenile Board.

4. The Application is, accordingly, disposed of with liberty as prayed. All contentions of the Applicant are kept open.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)