

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO. 723 OF 2019

Sushila w/o Sushant Bepari .Vs. State of Maharashtra, PSO, P.S. Mulchera,
Tah. Mulchera, Dist. Gadchiroli.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr. R.R. Vyas, Advocate for applicant.

Mr. S.M. Ghodeswar, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : NOVEMBER 14, 2019

Mr. Ghodeswar, learned Additional Public Prosecutor for non applicant-State submits that charge-sheet is filed before the Court below and case of the present applicant was not considered by the learned Court below for grant or refusal of anticipatory bail after filing of the charge-sheet.

Upon this statement Mr. Vyas, the learned counsel for the applicant submits that permission be granted to him to withdraw the present application. He submits that liberty be granted to applicant to file application for anticipatory bail afresh in view of the change in circumstance i.e. filing of the charge-sheet before the Court below. He submits that interim order dated 18.10.2019 passed by this Court be kept in operation for next 15 days so as to enable applicant to file application for anticipatory bail before the Court below.

The present application is disposed of as withdrawn in view of the filing of charge-sheet during the pendency of the present application.

The applicant is granted liberty to file application for anticipatory bail afresh before the Court below within a period of 10 days from today. If said application is moved within a period of 10 days from today the learned Judge of the Court below before whom such application will be placed for consideration shall decide the said application for anticipatory bail in the light of the material and evidence collected by the investigator as submitted in final report. The learned Judge of the Court below shall decide the said application in accordance with law.

The interim order granted by this Court on 18.10.2019 in favour of the applicant shall remain in operation till 29.11.2019 and thereafter said order shall cease to operate.

The application is disposed of as withdrawn.

JUDGE

srwagh