

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

CRIMINAL APPEAL NO.703/2019

Narayan s/o Govindrao Band .vs. State of Maharashtra through PSO P.S.
Civil Liines, Akola and anr.

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

Court's or Judge's orders.

Mr. S. R. Kadam, Advocate for appellant.
Mr. S. M. Ghodeswar, A.P.P. for respondent-State.
Respondent no.2, present in person.

CORAM : V. M. DESHPANDE, J.
DATED : DECEMBER 10, 2019

Heard Mr. Kadam, learned counsel for appellant
and Mr. Ghodeswar, learned A.P.P. for respondent no.1-
State. Respondent no.2 is personally present and she has
filed reply, which is taken on record.

Mr. Ghodeswar, learned A.P.P. submits that
charge-sheet is already filed by the investigating agency.

Mr. Kadam, learned counsel for appellant submits
that since the application for bail was not considered by the
Court below in the light of the charge-sheet, he wishes to
withdraw the present appeal with liberty to file bail
application, afresh before the Court below.

The appeal is allowed to be withdrawn with
liberty to the appellant to file bail application afresh before
the Court below in view of change in the circumstance i.e.
filing of the charge-sheet. It is expected from the learned

Judge of the Court below, before whom the application will be filed, to decide the application, in accordance with law.

It is made clear that the present appeal is not heard on its own merit.

The appeal is disposed of.

JUDGE

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