

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPEAL NO.662 OF 2020

DAYANAND RAJUDAS RATHOD
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for the Appellant : Shri More P. P.
APP for Respondent 1/ State : Shri R.D.Sanap

...

**CORAM : RAVINDRA V. GHUGE
&
B. U. DEBADWAR, JJ.**

DATE :- 18th December, 2020

Per Court :-

1. Pursuant to our order dated 16.12.2020, the learned Prosecutor submits that the victim has already delivered a child, date of which he is unaware of. He, however, submits on the basis of the instructions, that the DNA sampling is sought to be done and the blood samples of the victim, new born baby and the appellant have been submitted to the Regional Forensic Science Laboratory at Aurangabad on 03.11.2020. The result of the DNA test is awaited.

2. The learned advocate for the appellant submits, on instructions, that the appellant desires to withdraw this appeal with liberty to renew his request for bail before the Trial Court pursuant to the disclosure of the DNA sampling report.

3. In view of the above, this Criminal Appeal is disposed off as withdrawn. After the DNA result/ report is disclosed, the appellant would be at liberty to take recourse to a remedy as is permissible in law inclusive of an application for bail.

kps

(B. U. DEBADWAR, J.)

(RAVINDRA V. GHUGE, J.)