

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

CRIMINAL BAIL APPLICATION NO.2959 OF 2019

Khubeb Ahmed @ Maqsood Juhoor
Abdul Gaffar Ansari
aged about 35 yrs,
R/at Gaon Mohmmpur, Post Belaru
Thana, Barhajnapad, Ajamgadh,
Uttar Pradesh.
(At present is in Arthur Road, Central Prison) ... Applicant

Versus

The State of Maharashtra ... Respondent

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Ms. Anjali Patil, Advocate for the Applicant.
Mr. A. R. Kapadnis, APP for the Respondent – State.
Mr. Sawant, A.S.I. Amboli Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.
DATE : 16th DECEMBER, 2020.

PER COURT:

1. This is an application for bail in connection with C.R. No.20 of 2014 for offences punishable under Sections 376, 342, 328, 420 & 506(2) r/w Section 34 of Indian Penal Code.

2. The proceedings are pending before the trial Court vide POCSO Special Case No.430 of 2014. The applicant was arrested on 28th May, 2019. After the arrest of the applicant supplementary charge-sheet has been filed and case was numbered as POCSO

Special Case No.474 of 2019. After arguing the matter for some time and since the Court was not inclined to grant bail, learned counsel for the applicant on instructions seeks permission to withdraw this application. However it submitted that the charge has not been framed against the applicant after his arrest and both the cases should be tried together. The next date of hearing before the trial Court is 27th December, 2020. The applicant is permitted to prefer appropriate application before the trial Court for joining both the cases and the trial Court shall decide the application in accordance with law and proceed with trial.

ORDER

Bail Application No.2959 of 2019 is disposed of as withdrawn.

3. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)