

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

30 CRIMINAL APPEAL NO.674 OF 2020

GOPAL UKHA BHOI
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Appellant : Mr. Chatterji Joydeep
APP for Respondents: Mr. S D Ghayal
Advocate for Respondent 2 : Mr. H V Tungar

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CORAM : V.K. JADHAV & SHRIKANT D. KULKARNI, JJ.
Dated: June 28, 2021

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PER COURT :-

1. We have heard the learned counsel for the petitioner for some time.

2. The learned counsel for the petitioner has pointed out to us that victim was subjected to clinical and radiological test for determination of her age, however, despite the reminder sent to the concerned Doctor, which is the part of the investigation papers, those reports are not submitted alongwith the charge-sheet.

3. Learned counsel for the petitioner, on instructions, seeks leave to withdraw this criminal appeal with the liberty to file an application for regular bail before the
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Special Court, in the event, if the report pertaining to the determination of the age of the victim on the basis of clinical and radiological test of the victim are produced on record.

3. Leave granted. Criminal appeal is dismissed as withdrawn with the liberty, as aforesaid.

4. Since Mr. Tungar, learned counsel is appointed to prosecute the cause of respondent no.2, we quantify his legal fees and expenses at Rs.3,000/- (Rupees Three thousand only) to be paid by the High Court Legal Services, Sub-Committee, Aurangabad.

(SHRIKANT D. KULKARNI, J.)

(V.K. JADHAV, J.)

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