

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

54 BAIL APPLICATION NO.301 OF 2022

KAILAS RAMKRUSHNA NAVGHARE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Pawar Hemantkumar F.
APP for Respondent-State : Mr. G. O. Wattamwar.
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CORAM : S. G. MEHARE, J.
DATE : 04.07.2022

PER COURT :-

1. Heard the learned counsel for the applicant as well as learned APP.
2. Learned APP pointed out the ballistic report, which is against the applicant. Learned counsel for the applicant had submitted that the copy of the ballistic report was not supplied to him. However, there were findings on the basis of ballistic report recorded by the Sessions Court. Even then, the ballistic report has been shown to the learned counsel for the applicant in Court and an opportunity was granted to him to go through it.
3. Learned counsel for the applicant further submits that the parole has been granted to the applicant in another case,

however, due to no bail in this case, he could not enjoy the parole. Therefore, temporary bail till the period of his parole may be granted. The Court ask him “whether such prayer was made before the learned Sessions Judge”. He stated that, “the prayer was made, but it was not considered”. Again, the Court asked “whether such type of prayer was pleaded before the learned Sessions Judge in the bail application”. Then he conceded that there were no such pleading in bail application before the learned Sessions Judge.

4. Relying on the above facts, now he submits that he seeks leave to withdraw the present application and wanted to file an application for temporary bail. He may avail the remedy to file an application for temporary bail, if law permits.

5. Leave is granted to withdraw the present application.

6. Application stands dismissed as withdrawn.

(S. G. MEHARE, J.)

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vmk/-