

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

938 CRIMINAL APPEAL NO.530 OF 2022

- 1) Vishwanth S/o. Raghunath Dubukwad.
- 2) Shrikant S/o. Babu Vandanwad. ... **Appellants**

Versus

- 1) The State of Maharashtra.
- 2) The Superintendent of Police, Latur.
Dist. Latur.
- 3) The Deputy Commissioner of Police,
Nanded Division, Nanded.
- 4) Viddyasagar S/o Raghunath Somwanshi. ... **Respondents**

...

Mrs. Priyandra G. Sontakke, Advocate for Appellants.

Mr. P. G. Borade, APP for Respondent/State.

Mr. Shaikh Mazhar A. Jahagirdar, Advocate for Respondent No.4.

...

CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 08th September, 2022.

PER COURT:

. Heard Mrs. P. G. Sontakke, learned counsel for the
appellants at length.

2 When the turn of the prosecution comes, Mr. Borade, learned APP for the State submits that investigation of the crime has been completed and the investigation officer has filed the charge-sheet in Special Court under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and the case is also registered and numbered vide Special Case No.34 of 2022.

3 Mr. Mazhar Jahagirdar, learned counsel for respondent No.4 also made similar submissions regarding filing of charge-sheet. He submits that it is usual practice followed that when the charge-sheet is filed, the petitioners need to approach to the concerned special Court and in case of rejection, they may approach this Court.

4 Mrs. P. G. Sontakke, learned counsel for the appellants, on instructions, seeks leave of the Court to withdraw this appeal with liberty to file appropriate bail application before the special Court. She further seeks liberty to file an appeal before this Court in case bail application is rejected by the special Court.

5 Having regard to the submissions of the learned counsel for both the sides and the learned APP for the State, this appeal stands disposed of as withdrawn with liberty to the appellants to file bail application before the special Court with further liberty that in case of

rejection of bail application at the hands of the special Court, the appellants may again approach to this Court for the same relief.

6 With these observations, the present criminal appeal stands disposed of.

[SHRIKANT D. KULKARNI, J.]

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