

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 685 OF 2023

1. Suresh S/o Dattarao Thorat
Age : 31 years, Occu: Agril.,
R/o. Village Hiradi,
Tq. & Dist. Hingoli.
2. Ramesh S/o Kisanrao Thorat
Age: 31 years, Occu: Agril.,
R/o. Village Hiradi,
Tq. & Dist. Hingoli.
3. Laxman S/o Narayan Aare
Age: 31 years, Occu: Labour,
R/o. Village Malhivra,
Tq. & Dist. Hingoli. ... Appellants

Versus

1. The State of Maharashtra
Through Basamba Police Station,
District Hingoli.
2. Prakash S/o Narayan Pathade
Age: 53 years, Occu. Agril.,
R/o. Village Hiradi
Tq. & Dist. Hingoli. ... Respondents

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Mr. Dhananjay M. Shinde, Advocate for the Appellants.
Mrs. V. S. Choudhary, APP for Respondent No.1-State.
Mrs. Anuradha S. Mantri, Advocate for Respondent No.2.

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**CORAM : SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.**

DATED : 14 SEPTEMBER 2023

PER COURT :-

1. Not on board. Taken on board.
2. The matter was reserved for judgment, however, learned Advocate for the appellants submits that in the meantime, charge-sheet has been filed and therefore, he may be allowed to withdraw the appeal with liberty to approach the Special Judge under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for bail under Section 439 of the Code of Criminal Procedure.
3. In view of the fact that yet the judgment is not pronounced and taking into consideration the change in the circumstance that the charge-sheet has been filed, leave is granted to the appellants to withdraw the appeal with liberty as prayed.
4. We quantify fees of the appointed advocate for respondent no.2 at Rs.5,000/- to be paid by High Court Legal Services Sub-Committee, Aurangabad.

[ABHAY S. WAGHWASE, J.]

[SMT. VIBHA KANKANWADI, J.]