



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

BAIL APPLICATION NO. 177 OF 2023

ZUBAR AHMED REHMATTULLA TAWAKAL ..APPLICANT

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Ms. Shabnam Shaikh a/w Ms. Mushahid Khan, Mr. Himanshu Rai, for the Applicant.

Mr. Omkar Nagwekar, for Respondent No.2.

Mr. N. B. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 4, 2023

P.C. :

1. Learned counsel for the applicant, on instructions, seeks leave to withdraw the present application with liberty to apply for bail after 6 month.

2. Considering that the applicant is in custody from 29/12/2021, the trial Court is requested to record the evidence of child witness in terms of mandate of section 35(1) of the Protection of Children from Sexual Offences Act, 2012 expeditiously and preferably within a period of 6 months from the date when this order is placed on its record. Learned counsel for the applicant to place the order

copy on the record of the trial Court.

3. The bail application is allowed to be withdrawn. Liberty to apply for bail after 6 months or after recording of the evidence of the child witness whichever is earlier.

4. The bail application is disposed of as withdrawn with liberty as above.

5. I appreciate the valuable assistance rendered by Mr. Omkar Nagwekar, the learned Advocate, who appeared on behalf of respondent No.2 in this proceeding. Learned advocate may be paid the fees as prescribed by the Legal Aid Services Authority or if not prescribed, the same is quantified at Rs.5000/-.

(M. S. KARNIK, J.)