



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

BAIL APPLICATION NO.245 OF 2023

IRSHAD AHMED ASGAR ALI QURESHI

@ PICHCHI

..APPLICANT

VS.

THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Arif Siddiqui a/w Adv. Yasin Nabi for the applicant.

Ms. Veera Shinde, APP for the State.

Adv. Supriya Kak for respondent No.2.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 26, 2023

P.C. :

1. Learned counsel for the applicant on instructions seeks leave to withdraw this application since the charge has been framed by the trial Court.

2. In the facts and circumstances of the present case the trial Court is requested to record the evidence of the child witness under Section 35(1) of the Protection of Children from Sexual Offences Act, 2012 within a period of three months from the date when this order is placed before the trial Court. The applicant is in custody for more than three years and two months.

3. Liberty to apply afresh for bail after the evidence of the child witness is recorded under Section 35(1) of the POCSO Act or after three months whichever is earlier.
4. The application is allowed to be withdrawn with liberty as prayed for and disposed of accordingly.
5. I appreciate the assistance rendered by Ms. Supriya Kak, 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.)