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

BAIL APPLICATION NO.1279 OF 2023

ISMAIL JAUDDIN SHAIKH

..APPLICANT

VS.

THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Mohammed Ismail B. Khan for the applicant.

Adv. Reshma Nair for respondent No.2.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 5, 2023

P.C. :

1. Learned counsel for respondent No.2 appointed by this Court pointed out that during the pendency of the application the applicant had filed an application for bail before the Sessions Court in person. By an order dated 30.08.2023 the application came to be rejected by the Special Judge. The present application for bail was filed on 18.04.2023.

2. Learned counsel for the applicant submitted that he was not aware of the application for bail that was preferred by the applicant before the Sessions Court.

3. In this view of the matter, learned counsel for the applicant on instructions seeks leave to withdraw the present application with liberty to file a fresh application for bail bringing on record the order dated 30.08.2023 as well.

4. I have not considered the application on merits.

5. The application is allowed to be withdrawn with liberty as prayed for and disposed of accordingly.

6. I appreciate the assistance rendered by Advocate Reshma Nair representing the respondent No.2 who appeared at my request.

(M. S. KARNIK, J.)