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

BAIL APPLICATION NO.1639 OF 2023

SUDHAKAR SIDDHESHWAR TAVAR ..APPLICANT
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Hrishikesh S. Shinde for the applicant.
Ms. Rutuja Ambekar, APP for the State.
Adv. Vaibhav Charalwar for respondent No.2.
A.P.I. Dnyaneshwar Dattatray Udar, Barshi City Police
Station, Solapur.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 6, 2023

P.C. :

1. Learned counsel for the applicant on instructions seeks leave to withdraw this application with liberty to file a fresh application after three months or after the evidence of the child witness under Section 35(1) of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) is recorded by the trial Court, whichever is earlier.

2. In the facts and circumstances of the present case learned trial Court is requested to record the evidence of the child witness in view of the mandate of Section 35(1) of the POCSO Act expeditiously and preferably within a period of three months from today.

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 The application is allowed to be withdrawn with liberty as prayed for and disposed of accordingly.

4. I appreciate the assistance rendered by Mr. Vaibhav Charalwar, 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.)