

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

CRIMINAL APPEAL NO. 1096 OF 2023

Mansoor @ Sultan Moula
Shaikh

...Appellant

vs.

The State of Maharashtra
and Anr.

...Respondents

Adv. Bhavika Shinde i/by Umesh Mankapure - Advocate for the
Appellant

Mr. S. R. Agarkar - APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 20th DECEMBER, 2023

P. C. :-

1. Yesterday, I have heard learned Advocate Shri Mankapure for the Appellant, learned APP and learned Advocate for Respondent No. 2.

2. The offence is under Sections 147, 148, 149, 364, 302 of the Indian Penal Code, Maharashtra Police Act under Sections 37(1) read with 135, Section 4 (25) of the Arms Act.

3. The prosecution case is based on last seen theory and the CCTV footage and person who has accompanied the Appellant alongwith one of the two riders. Prosecution claims that the Appellant is one of the assailant. There is recovery of the two

weapons. Appellant claims that it is found from open place. After going through these materials, when this Court is not inclined to grant a bail, time was sought to take instructions.

4. It is submitted that Appellant wants to withdraw this appeal. It is disposed of as withdrawn.

5. Learned appointed advocate be paid fees as per the Rules.

[S. M. MODAK, J.]