



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

**BAIL APPLICATION NO. 3069 OF 2023
WITH
INTERIM APPLICATION NO. 4094 OF 2023**

SAMIR KHWAJA SHIAKH	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

Mr. C.R. Sonecha, for the Applicant.
Mr. Y.Y. Dabake, APP for the State.
Ms. Tanvi Tapkire, for Intervener.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 18, 2023

P.C. :

1. Learned counsel for the applicant, on instructions, seeks leave to withdraw the application.
2. It appears that when this Court had passed an order in Criminal Application No. 684 of 2021 in relation to the co-accused Naushad Kalandar Shaikh for bail, the trial Court was directed to make an endeavour to conclude the trial as early as possible with liberty to file a fresh bail application within 9 months from the date of receipt of copy of order if the trial does not conclude. I find that the trial is not protracted at the instance of the present applicant at least

since February 2023. The applicant is in custody for more than 6 years and 8 months. According to learned APP around 6 to 7 witnesses remain to be examined.

3. The bail application is allowed to be withdrawn with liberty to apply for bail after 3 months, if the trial does not progress substantially.

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 The bail application is disposed of as withdrawn with liberty as above.

(M. S. KARNIK, J.)