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

BAIL APPLICATION NO.3214 OF 2023

YOGESH RAMCHANDRA SHINDE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Anandmaya Dhorde for the applicant.
Ms. Veera Shinde, APP for the State-respondent No.1.
Adv. Saakshat Relekar for respondent No.2.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 10, 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. Considering that the applicant is in custody from 08.01.2021, learned trial Judge 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 in any

case within a period of three months from the date when this order is placed before the trial Court for its consideration.

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 The application is allowed to be withdrawn with liberty as prayed for and disposed of accordingly.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. Saakshat Relekar, 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.)