

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3408 OF 2023****IN****CRIMINAL APPEAL NO. 1379 OF 2019**

Mohan Vitthal Malge & Anr.

... Applicants/Appellants

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Ritesh Thobde a/w. Zubi Ansari for Applicants/Appellants.

Mr. S.V. Gavand, A.P.P. for Respondent No.1-State.

Mr. Shashikant Chandak a/w. Ms. Kanchan Chandak for Respondent No.2.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 5th March 2024.****P.C. :**

1) This is a successive application for suspension of sentence and releasing the Applicant on bail.

2) After hearing the learned Advocate for the Applicants, when this Court was not inclined to grant relief of bail at this stage, learned Advocate on instructions seeks leave to withdraw Application with liberty to file a fresh Application for bail, if the Appeal preferred by the Applicants is not taken up for final hearing within a period of one year from today.

Leave and liberty granted.

3) Dismissed as withdrawn with aforesaid liberty.

(SHYAM C. CHANDAK, J.)**(A.S. GADKARI, J.)**