

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

BAIL APPLICATION NO. 4241 OF 2023

Tushar alias Nikhil Shivaji Pawar

.Applicant

Versus

The State of Maharashtra & anr.

.Respondents

Mr. Abhay Khandeparkar, Senior Advocate a/w. Mr. Farhan Shaikh, Mr. Saurabh Mittal, Mr. Nitin Dedhia i/b. Khandeparkar & Associates, for the Applicant
Mr. Shriram C. Chaudhari, APP, for Respondent No. 1 – State

CORAM: MADHAV J. JAMDAR, J.

DATE: 16.02.2024

P. C.

1. At the outset, Mr. Chaudhari, learned APP appearing for the Respondent – State raises an objection regarding maintainability of the Bail Application on the ground that inter alia the offences are punishable under Sections 302, 364, 365, 201, 341, 342 r/w. Section 34 of the Indian Penal Code and under Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act, 1989 (for short ‘S.C.S.T.Act). He submits that therefore, an Appeal under Section 14A of the S. C. S.T. Act will be the proper remedy.

2. In view of the statement made by Mr. Chaudhari, learned APP appearing for Respondent No. 1 – State, Mr. Khandeparkar,

Anand

learned Senior Counsel appearing for the Applicant seeks leave to withdraw the Bail Application with liberty to file appropriate proceedings. Leave granted.

3. The Bail Application is allowed to be withdrawn with liberty as aforesaid and disposed of as such.

[MADHAV J. JAMDAR, J.]