



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPEAL NO.621 OF 2024

(Sharukh Shah Razik Shah Vs. State of Maharashtra and anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. D.S. Khushalani, Advocate for the appellant.
Mr. S.A. Ashirgade, APP for the State.
Mr. R.R. Maddalwar, Advocate (appointed) for respondent No.2.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- DECEMBER 2, 2024.

By preferring this appeal, the appellant has challenged the order passed by the Additional Sessions Judge, Achalpur in Criminal Bail Application No.441/2024 dated 14/10/2024 rejecting the bail application of the present appellant.

2. As per the allegation, 14 years girl was subjected for the sexual assault which resulted into her pregnancy. The DNA report is yet to be received. Considering the fact that a minor victim girl was subjected for the sexual assault allegedly by the present appellant. The DNA report is the vital piece of evidence which is yet to be received. In view of that, I have shown my disinclination to grant bail.

3. In view of that, learned Counsel for the appellant seeks permission to withdraw the application with liberty to file after receipt of the DNA report.

4. Permission is granted.
5. The appeal is disposed of as withdrawn with liberty to file afresh after receipt of the DNA report.
6. The fees of the appointed Counsel be quantified as per rules.

(URMILA JOSHI-PHALKE, J.)

**Divya*