

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

CRIMINAL BAIL APPLICATION NO. 1748 OF 2025

Shri. Sahil Rahim Nadaf

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Anand S. Patil, learned Advocate for the Applicant.

Mr. Pandurang H. Gaikwad, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.
DATE : 20th JUNE 2025.

P.C. :

1. Heard Mr. Anand Patil, learned Advocate for the Applicant and Mr. Pandurang Gaikwad, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**” for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 271 of 2024 registered with Rajarampuri Police Station, District-Kolhapur for the offence punishable under Sections 307, 120-B, 341, 324, 504, 506 read with 34 of the Indian Penal Code, 1860 and Sections 3, 25 and 27 of the Indian Arms Act.

3. Mr. Anand Patil, learned Advocate for the Applicant points out to the order dated 17th January 2025, which reads as follows :-

“1. The learned Counsel for the Applicant on

instructions seeks leave to withdraw the present Application with liberty to file fresh Application after reasonable time. Leave as sought is granted.

2. As regards Applicant No. 1, liberty to file an Application after one year. As regard Applicant No. 2, liberty to file an Application after three months.

3. The Application is disposed of as withdrawn with above liberty.”

4. Mr. Anand Patil, learned Advocate states that the present Application is restricted to the case of Accused No. 2, i.e., the Applicant herein. He submits that despite the expiry of three months from 17th January 2025, there has been no change in circumstances. As such, the Applicant has exercised in terms of the liberty granted by this Court to file the present Bail Application.

5. Mr. Pandurang Gaikwad, learned A.P.P. for the State/Respondent submits that the liberty granted to the Applicant was to move the Court, i.e., the learned Trial Court. He submits that the Applicant should avail the liberty by filing the Application before the learned Trial Court, at the first instance.

6. In view of the above, Mr. Anand Patil, learned Advocate seeks leave to withdraw the present Bail Application with liberty to file a fresh Application before the learned Trial Court, i.e., Sessions Court at Kolhapur. He states that such Application will be filed within one week from today. Leave to withdraw the present Bail Application with liberty as prayed for is granted. Such Application shall be considered on its own merits and in accordance with law.

Considering the order dated 17th January 2025, passed by this Court, the learned Sessions Court at Kolhapur shall make endeavour to decide such Application expeditiously.

7. In view of the above, Criminal Bail Application No. 1748 of 2025 is dismissed as withdrawn with liberty as prayed.

[ASHWIN D. BHOBE, J.]

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2025.06.21
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