

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPEAL NO. 616 OF 2025
WITH
INTERIM APPLICATION NO. 1153 OF 2025**

Huzaif Abdul Aziz Shaikh

... Appellant

V/s.

State Of Maharashtra

... Respondent

Mr. Mukesh Modi for Appellant.

Mr. Ajay S. Patil, A.P.P. for Respondent-State.

Mr. Mangesh K., PSI, ATS Nashik Unit, present.

**CORAM : A. S. GADKARI AND
RANJITSINHA RAJA BHONSALE, JJ.****DATE : 12th September 2025.****P.C. :**

1) Mr. Modi, learned Advocate appearing for Appellant fairly submitted that, the point of non furnishing of grounds of arrest and/or initial detention by the Investigating Agency, was not raised before the trial Court in the Application filed under Section 439 of the Cr.PC for bail and is being raised for the first time in this Appeal.

1.1) Facing with the said difficulty, Mr. Modi, on instruction, seeks leave to withdraw this Appeal with liberty to file a fresh Application for bail under Section 439 of the Cr.PC. before the trial Court, by raising all the

points. He submitted that, even otherwise an accused is entitled to file successive Applications for bail under the law.

- 2) Leave and liberty granted.
- 3) Appeal is disposed off as withdrawn with aforesaid liberty.
- 4) In view of disposal of Appeal, Interim Application No. 1153 of 2025, does not survive and is accordingly disposed off.
- 5) It be noted here that, this Court has not examined the merits involved in the Appeal and it is only on the afore-noted ground, the Appeal is disposed off.

(RANJITSINHA RAJA BHONSALE, J.)

(A.S. GADKARI, J.)