

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

CRIMINAL BAIL APPLICATION NO. 117 OF 2025

Santosh Balu Dalavi.

... Applicant.

Vs.

The State of Maharashtra & Anr.

... Respondents.

Mr. Mahendra Sanghyanshiv a/w. Mr. Himanshu Pujari, Advocate
for the Applicant.

Mr. T.G. Khan, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 25 JUNE, 2025.

P.C. :

1. Heard Mr. Mahendra Sandhyanshiv, learned Advocate for the Applicant and Mr. Khan, learned APP for State.

2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”), the Applicant is seeking regular bail in Crime No. I-225 of 2023 registered at Vadner Khakurdi Police Station, Nashik for offence punishable under Section 376, 376(d), 365, 452 & 328 r/w. 34 of Indian Penal Code.

3. Mr. Sandhyanshiv, learned Advocate for the Applicant states that the said Crime is now registered as a Sessions Case No.

133 of 2023 and is pending before the Addl. Sessions Judge, Malegaon, Dist. Nashik.

4. Mr. Khan, learned APP points out to the order dated 6th February, 2024 passed in Bail Application No. 393 of 2024 by which the Applicant was given liberty to apply after 10 months. Mr. Khan, learned APP submits that such a liberty will have to be availed before the learned Trial Court in the first instance.

5. Learned Advocate for the Applicant on instructions from the Applicant craves leave to withdraw the present Bail Application to file a fresh bail application before the learned trial Court in terms of the liberty granted by order dated 6th February, 2024 in Bail Application No. 393 of 2024. Leave granted with liberty as prayed.

6. In the event, any application is filed before the learned Trial Court, the same shall be considered on its own merits and in accordance with law.

7. Bail Application No. 117 of 2025 is dismissed as withdrawn with liberty as prayed.

(ASHWIN D. BHOBE, J.)