

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

CRIMINAL BAIL APPLICATION NO. 1426 OF 2025

Kailas Ambaram Malviy ... Applicant
Vs.
The State of Maharashtra & Anr. ... Respondents

Mr. Kuldeep Nikam, Advocate for the Applicant.
Mr. Pandurang Gaikwad, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 23rd JULY, 2025.

P.C. :

1. Heard Mr. Kuldeep Nikam, learned Advocate for the Applicant and Mr. Pandurang Gaikwad, learned APP for the Respondent-State.
2. By the present Bail Application, Applicant is seeking Bail in Crime No. I-178 of 2022 registered with Panchavati Police Station under Sections 363, 376(2), 366, 370, 370(a), 376(d) r/w Section 36 of the Indian Penal Code and Sections 4, 6, 8, 12 of the POCSO Act, 2012 and Section 9 of the Prohibition of Child Marriage Act.
3. Mr. Pandurang Gaikwad, learned APP for the Respondent-State points out to the order dated 19th August, 2024 passed by this Court in Criminal Bail Application 2512 of 2023 and submits that the liberty granted by this Court will have to be availed before the learned Trial Court, at the first instance.

4. Mr. Kuldeep Nikam on instructions from the Applicant craves leave to withdraw the present Bail Application to file a fresh Application for bail before the learned Trial Court in terms of the liberty granted by order dated 19th August, 2024 passed in Bail Application No.2512 of 2023. Liberty as prayed for is granted. In the event any such Bail Application is filed, the same is to be considered on its own merits and in accordance with law.

5. In view of the above, Criminal Bail Application No. 1426 of 2025 is dismissed as withdrawn with liberty as prayed.

(ASHWIN D. BHOBE, J.)

GAYATRI
RAJENDRA
SHIMPI

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