

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

CRIMINAL BAIL APPLICATION NO.2381 OF 2025

Mr. Pralhad Baluram Prajapati. ... Applicant.

Vs.

The State of Maharashtra & Anr. ... Respondents.

Mr. A.K. Chauhan a/w. Mr. Rahul Chauhan, Mr. Abhijit Bansode,
Mr. Vidya Rao, Mr. Mahesh Shukhla, Mr. Jinay Jain, Ms. Damini
Mishra, Advocate for the Applicant.

Mr. V.N. Sagare, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 20th JUNE, 2025

P.C. :

1. Heard Mr. Chauhan, learned Advocate for the Applicant
and Mr. V.N. Sagare, 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 connection with Crime No.251
of 2022 registered with Kharghar Police Station, Dist. Raigad, for
offences punishable under Section 376, 376(2)(f), 504 and 506 of
the Indian Penal Code and Section 4, 8 & 12 of the Protection of
Children from Sexual Offences Act, 2012 (POCSO Act).

3. Mr. Chauhan, learned Advocate for the Applicant points out the order dated 11th January, 2024 passed by this Court in Criminal Bail Application No.1357 of 2023 by which this Court granted liberty to the Applicant to file fresh bail application if the trial is not concluded within a reasonable time. He submits that since January, 2024, there has been no progress in the trial.

4. Mr. Sagare, learned APP submits that the Applicant would have to move an application before the trial Court at the first instance, in view of the liberty referred to in paragraph No.6 of order dated 11th January, 2024. He therefore, raises objection to tenability of the to the present Application.

5. In view of the objection raised by the learned APP, Mr. Chauhan, learned Advocate for the Applicant on instruction from the Applicant, seeks leave to withdraw the present Application and to file an application before the learned trial Court in terms of the liberty granted by this Court in its order dated 11th January, 2024. Leave as prayed for is granted. Applicant is at liberty to file an appropriate application before the learned trial Court. In the event such an application is filed, the learned trial Court shall consider

the same on its own merits and in accordance with law.

6. Criminal Bail Application No. 2381 of 2025 is dismissed as withdrawn with liberty as prayed.

(ASHWIN D. BHOBE, J.)