

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2728 OF 2025

Shri. Sainath Naguji Kolhe

...Applicant

Versus

The State of Maharashtra and Anr.

...Respondents

Mr. Ajay Jaybhay a/w Mr. Dheeraj Patil, learned Advocate for the Applicant.

Ms. Madhavi H. Mhatre, learned A.P.P for the State/Respondent.

Ms. Swarta Suryawanshi (Appointed Advocate), learned Advocate for Respondent No. 2.

CORAM : ASHWIN D. BHOBE, J.

DATE : 14th JULY 2025.

P.C. :

1. Heard Mr. Ajay Jaybhay, learned Advocate for the Applicant and Ms. Madhavi Mhatre, 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 Applicants are before this Court seeking regular bail in connection with Crime No. 83 of 2025 registered with Chandwad Police Station, Nashik for the offences punishable under Sections 64(2)(i) (m), 65(1), 70(2), 127, 115, 351(2) and 352 of the Bharatiya Nyay Sanhita, 2023, Sections 4, 5(l), 6, 8, 12 and 17 of the Protection of Children from Sexual Offences Act, 2012 and Section 3(1)(w)(i), 3(1)(w)(ii), 3(2)(va), 3(1)(r) and 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. Mr. Ajay Jaybhay, learned Advocate for the Applicant submits that the trial in Sessions Case No. 32 of 2025 before the learned Additional Sessions Judge, Niphad is proceeding.

4. In view of the same, Applicant does not desire to proceed with the present Bail Application. He therefore, on instructions from the Applicant, craves leave to withdraw the present Bail Application with liberty to file a fresh Bail Application before the learned Trial Court in the event of change in circumstance.

5. Applicant is always at liberty to file a fresh Bail Application before the learned Trial Court in the event of change in circumstance. If any such Application is filed by the Applicant before the learned Trial Court on the ground of change in circumstance, the same be considered on its own merits and in accordance with law.

6. In view of the above, Criminal Bail Application No. 2728 of 2025 is dismissed as withdrawn with liberty as prayed.

[ASHWIN D. BHOBE, J.]

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