

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
BAIL APPLICATION NO. 4604 OF 2025**

|                                |               |
|--------------------------------|---------------|
| Abhay @ Kallu Dinanath Chouhan | ...Applicant  |
| <i>Versus</i>                  |               |
| State of Maharashtra           | ...Respondent |

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**Mr. Anand Chawre a/w Ms. Yogita More, for the Applicant.**  
**Ms. Megha S. Bajoria, for the Respondent.**  
**PSI-K.M. Shaikh, attached to Boisar Police Station, present.**

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**CORAM    DR. NEELA GOKHALE, J.**  
**DATED:    10<sup>TH</sup> DECEMBER 2025**

**PC: -**

**1.** By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No. 379 of 2024 dated 17<sup>th</sup> August, 2024 registered with the Bhoisar Police Station, District Palghar, for the offences punishable under Sections 109 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short 'BNS Act').

**2.** At the very outset, Ms. Megha Bajoria, learned APP representing the State has brought to my attention the order

dated 12<sup>th</sup> August, 2025 passed by the Co-ordinate Bench of this Court wherein permission was granted to the Applicant to withdraw the Bail Application No. 1906 of 2025 in connection with the same FIR.

**3.** The order dated 12<sup>th</sup> August, 2025 reads as under:

*“1. This is a bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The matter was taken up for hearing. Learned Advocate appearing for the applicant made submissions in support of the prayer for grant of bail. However, after hearing the submissions and upon a prima facie consideration of the material on record, this Court was not inclined to grant the relief as prayed.*

*2. At this stage, learned Advocate for the applicant, on instructions, seeks permission to withdraw the present bail application. The request was made with an understanding of the consequences of such withdrawal.*

*3. In view of the above, the present bail application is allowed to be withdrawn.”*

**4.** Mr. Anand Chawre, learned Counsel appearing for the Applicant submits that at the time of hearing the said previous bail application, the applicant was represented by another counsel. In my view, such a submission cannot be entertained.

**5.** He further submits that the trial is at the stage of framing charges and as yet, *muddemaal* has not been filed by the prosecution. He further submits that, earlier, the counsel appearing before the Co-ordinate Bench had not pointed this out to the Court.

**6.** I have heard learned Counsel appearing for the respective parties and perused the record with their assistance.

**7.** I have gone through the order dated 12<sup>th</sup> August, 2025. Paragraph 2 of the said order specifically records that the advocate appearing for the Applicant in that matter, on

instructions, had sought permission to withdraw the bail application. It is further recorded that the request was made with an understanding of the consequences of such withdrawal. Mr. Chawre, learned counsel appearing for the applicant is unable to demonstrate any change in circumstances from 12<sup>th</sup> August, 2025 till date.

**8.** In these circumstances, I am not inclined to allow the Bail Application.

**9.** Hence, Bail Application is rejected.

**(DR. NEELA GOKHALE, J)**