

MHKO010030192024

Sess.Case No.149/2024**Order below Exh.26**

By way of this 4th successive application accused no.2 Sahil Rahim Nadaf is seeking relief of regular bail under section 483 of The Bharatiya Nagarik Suraksha Sanhita (439 of Cr.P.C.). He and 2 others are chargesheeted for the offences punishable under sections 307, 120-B, 341, 504, 506 read with 34 of the Indian Penal Code and sections, 3 & 25 read with section 27 of the Arms Act.

02. The grounds for bail are stated in the application. The application is opposed by the prosecution by submitting say.

03. Heard both the parties.

04. According to the accused the instant application is filed in pursuance of leave granted by the Hon'ble High Court in Criminal Bail Application 1748/2025.

05. Application no.5109/2024 was withdrawn by the accused and accordingly it was disposed of by the Hon'ble High Court. In that order liberty was granted to file fresh application after three months.

06. After three months Cri.Bail Application No.1748/2025 was filed before the Hon'ble High Court. During the course of arguments it was submitted before the Hon'ble High Court that

there was no change in circumstance, but the application was filed only because of the liberty was granted. The application was withdrawn by seeking permission to file fresh application before this Court. The instant application is result of the same.

07. In both the earlier decided applications this Court has categorically observed that presence of the accused at the place of incident is underscored in CCTV footage. The fire arm was used with intention to kill the victim. All these circumstances are still in existence and no change is occurred in favour of the applicant/accused to consider his prayer for bail afresh. There is no merit in this application. In the result, following order is passed-

ORDER

The application stands rejected.

Date: 05/07/2025

(D.V.Kashyap)
Additional Sessions Judge,
Kolhapur.