

MHRG170010432024



SESSIONS CASE NO.46/2024

**Bhagwan Khulu Kajbale
Vs.
The State of Maharashtra**

CNR NO. MHRG170010432024

ORDER BELOW EXH.13

1. By this application, the applicant has prayed for grant of bail under Section 482 of the BNSS.
2. Learned advocate for the applicant Mr. Shaikh has made an attempt to submit that since the applicant is in custody for around 285 days, in view of the right of speedy trial the applicant is entitled to be released on bail. Thus, he has prayed to grant the application.
3. Learned APP Mr. A. S. Thakur has invited my attention towards order passed by my learned predecessor on 23/09/2024 by which my learned predecessor had observed that in absence of change in circumstance the subsequent application for grant of bail is not maintainable.
4. He would further submit that the Hon'ble High Court has also shown non implication to grant bail and therefore liberty was granted to the applicant to withdraw the application with liberty to file fresh bail application before this Court, in the event of change in circumstance. Thus,

he has prayed to reject the application.

5. In fact, when my learned predecessor while deciding the application dated 23/09/2024 has categorically observed that since there was no change in circumstances, the subsequent application for bail is not maintainable.
6. The record revealed that after passing of the said order, the applicant had approached Hon'ble High Court by filing Cri. B.A. No.5252/2024 and the same was decided on 12/08/2025.
7. Although, the Hon'ble High Court had granted liberty to the applicant to move this Court on change in circumstances, surprisingly, without quoting changed circumstances, the applicant with similar relief, has come before this Court. This is nothing but to kill valuable time of the Court.
8. It is to be noted here that after the order dated 12/08/2025 was passed, there was no change in circumstances and within the short period of 14 days the applicant on 26.08.2025 has come before this Court. Therefore, the application sans merit is liable to be rejected.
9. So far as the speedy trial as claimed by the applicant is concerned, record revealed that charge has already been framed and thus it can be said that the matter is ready for hearing. Therefore I am of the view that the applicant

cannot be allowed to press into service the ground of speedy trial. Thus, I conclude that there is no merit in the application. Accordingly it deserved to be rejected. Hence, I pass following order.

ORDER

1. Application is rejected.
2. Trial is ordered to be expedited.
3. The prosecution shall keep the material witnesses present before the Court on next date for proceeding with the trial.

Panvel,
Dated :- 09/09/2025

(Dinesh E. Kothalikar)
Additional Sessions Judge, Panvel,
Dist-Raigad.