

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

**CRIMINAL APPLICATION NO.1582 OF 2018
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1580 OF 2018**

Shri.Aanandrao Maruti Ithape & Ors. ...Applicants

Versus

The State of Maharashtra ...Respondent

Mr.Arun D. Nimablkar a/w Mr.Reyan A. Nimbalkar for the
Applicant.

Ms.S.S. Kaushik, APP for the Respondent-State.

CORAM : SMT.BHARATI H. DANGRE, J.

**DATE : 24th DECEMBER 2018
(VACATION COURT)**

P.C.

1. Not on board. Taken on board.

2. The present Criminal Application is taken out seeking restoration of the Anticipatory Bail Application No.1580 of 2018 the submission of the learned counsel is that on 08th December 2018, this Court had passed an order thereby granting ad-interim relief and directing the release of the applicant in the event of arrest in Crime No.228 of 2018 registered with Bhuinj Police Station. The matter was thereafter listed on 03 December 2018 and the order

sheet records that “at the request of the learned APP, the matter was adjourned to 17th December 2018”.

3. The learned counsel invited my attention to the order dated 17th December 2018 wherein the Court has noted that the applicant is not present and he has not even carried out necessary amendment and there was failure to comply with the order dated 17th December 2018, and this Court concluded that the applicants are not interested in prosecuting the application and dismissed the same for non-prosecution.

4. The learned counsel for the applicant submits that due to inadvertent mistake the amendment was not carried out and for some personal reason he was not able to attend the proceedings on 17th December 2018. He has stated the reasons in his application. I have perused the said application. It appears that the reason cited are *bona fide*. In such circumstances the application No.1580 of 2018 is restored to the file. The ad-interim protection granted on 8th December 2018 to continue till the next date of hearing. Let the matter be listed on 14th January 2018 for further orders.

(SMT.BHARATI H. DANGRE, J.)