

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

ANTICIPATORY BAIL APPLICATION NO.2418 OF 2018

Henry Nicolas Fernandes	.. Applicant
Vs.	
State of Maharashtra	.. Respondent

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Mr.J.S. Bardeskar i/b. Mr.Abhishek Yende, Advocate for the Applicant.

Mr.S.R. Agarkar, APP for the Respondent – State.

Mr.D.B. Raiwade, PSI, Powai Police Station, Mumbai, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : NOVEMBER 27, 2018.

P.C. :

This is an application for anticipatory bail. The only relief which is sought in the application is to grant interim protection pending his application for anticipatory bail before the Sessions Court. I have perused the Roznama of the proceedings pending before the Sessions Court. Application for anticipatory bail came up for hearing on 25th October, 2018, which was adjourned till 26th October, 2018, for filing say. The application was again adjourned to 29th October, 2018, for say. On 29th October, the prosecution filed their say and the application was adjourned for hearing to 15th November, 2018. Even on

15th November, 2018, at the oral request of the advocate for the complainant, application was adjourned for hearing to 4th December, 2018. The grievance of the applicant is that the application has been kept pending for more than a month without granting any interim protection. On perusal of the aforesaid order, it does appears that the application has been adjourned from time to time, and, there is no interim protection in favour of the applicant. The next date before the Sessions Court is 4th December, 2018. In the circumstances, the Sessions Court is directed to proceed with the hearing of the application on 4th December 2018, and either consider prayer for grant of interim relief or decide the application finally. With these observations, this anticipatory bail application stands disposed of.

2 It is made clear that this Court has not expressed any opinion on the merits of the application.

(PRAKASH D. NAIK, J.)