



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2074 OF 2023

Sunny @ Badshah Yogesh Waghmare ...Applicant

vs.

The State of Maharashtra ...Respondent

None for the Applicant.

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

Mr.Vagare – API – Hilline Police Station.

CORAM : S. M. MODAK, J.

DATED : 17TH AUGUST 2023

P. C. :

1. No one is present on behalf of the Applicant.
 2. The Court of Additional Sessions Judge – Kalyan as per the order dated 13th July, 2023 was pleased to dismiss the Application on merits. Paragraph No.4 of the Application mentions about invocation of the provisions of the Maharashtra Control of Organised Crime Act, 1999 [“MCOC Act”].
 3. The contention is, the Sessions Court ought to have dismissed the Application as not maintainable instead of deciding it on merits.
- A copy of prior approval dated 10th July, 2023 granted by the

Satish Sangar

Additional Commissioner of Police is placed for perusal. It is taken on record and marked as Annexure-X.

4. The present Applicant is named as Accused No.4. Offence is at C.R. No. 163 of 2023. As such, Application for anticipatory bail is not maintainable. Hence, it is disposed of as not maintainable.

[S. M. MODAK, J.]