

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3332 OF 2024

Nilesh Shantilal Patel ... Applicant

Vs.

State of Maharashtra ... Respondent

Mr. Sunil Kumar (through VC) with Mr. Ishan Sanvaiya i/b. Kumar & Associates
for Applicant.

Mr. Tanveer Khan, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : DECEMBER 11, 2024

P.C. :

1. The applicant is constrained to approach this Court in peculiar circumstances. The anticipatory bail application of the applicant is pending before the Sessions Court at Wai, District - Satara. The application was filed on 06.11.2024 as the applicant apprehends arrest in connection with FIR No.0214 of 2024 dated 16.07.2024 registered with Wai Police Station, District - Satara, for offences under Sections 405, 409, 420, 467, 468, 471 read with 34 and 120-B of the Indian Penal Code, 1860 (IPC).

2. The said application was taken up for hearing and *Rojanama* of the concerned Court shows that the advocates for the applicant and the State (IO) were heard on 18.11.2024 itself and the application was kept 'for orders' on 21.11.2024. Thereafter, it has been adjourned on various dates and this Court is informed that the application is now listed tomorrow (12.12.2024) before the concerned Court.

3. The learned counsel for the applicant submits that throughout the pendency of the aforesaid application before the said Court at Wai, there is no interim order operating in favour of the applicant and in such a

situation, there is possibility of the application itself being rendered infructuous. If the applicant is arrested, he will be deprived of an opportunity to approach this Court for relief of anticipatory bail.

4. There is indeed substance in the contentions raised on behalf of the applicant. It is surprising that the concerned Court has simply kept the anticipatory bail application of the applicant pending from 06.11.2024, without any interim relief. It is further surprising that having heard the counsel for the parties on 18.11.2024 itself, the application has been repeatedly adjourned for orders and now, the application is said to be listed tomorrow (12.12.2024).

5. In such a situation, this Court is inclined to issue appropriate directions in the matter.

6. Accordingly, this application is disposed of by directing the Court of District Judge-1, Wai, District - Satara, to pass final orders in Criminal Bail Application No.246 of 2024 filed by the applicant before the said Court. Since the *Rojanama* of the said Court indicates that the arguments were already heard on 18.11.2024, the Court shall pass final orders tomorrow (12.12.2024) without fail.

7. The order passed today shall be communicated to the Court of District Judge-1, Wai and Registry is directed to take necessary steps in the matter.

8. The learned counsel for the applicant as well as the learned APP shall inform their respective counter parts in the aforesaid Court i.e. the Court of District Judge-1, Wai about the order passed today.

(MANISH PITALE, J.)