

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

ANTICIPATORY BAIL APPLICATION NO. 3188 OF 2024

Prakash Madhav Maghade	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Veerdhawal Deshmukh i/by Hulyalkar & Associates for the Applicant.

Mr. Sagar R. Agarkar, APP for Respondent-State.

Mr. Ravindra Dhaware, PSI, Vimantal Police Station, Pune.

**CORAM: MANISH PITALE, J.
DATE : 29th NOVEMBER 2024**

P.C. :

. At the outset, the learned APP objects to the present application on the ground that the anticipatory bail application of the applicant is pending before the Sessions Court. Attention of this Court is invited to order dated 16th November 2024, whereby, while issuing notice to the Investigating Officer and the learned APP, making it returnable today i.e. 29th November 2024, the Sessions Court directed the Investigating Officer not to arrest the applicant on 17th November 2024, if he was to attend rituals of the deceased. It is to be noted that the deceased is the wife of the applicant.

2. The learned counsel for the applicant submits that the protection was limited to 17th November 2024 and therefore, in

the absence of any interim protection, during the pendency of the anticipatory bail application before the Sessions Court, there is likelihood of the applicant being arrested. In such a situation, it is submitted that this Court may consider granting protection to the applicant till the pending anticipatory bail application before the Sessions Court is decided.

3. Since the anticipatory bail application of the applicant is listed today before the Sessions Court for hearing, this Court is of the opinion that appropriate directions can be issued to the Sessions Court, but there is no question of granting any interim protection to the applicant, as the applicant can pursue the anticipatory bail application to be finally decided by the Sessions Court.

4. But, at the same time, the apprehension of the applicant can be addressed by issuing specific direction to the concerned Sessions Court.

5. In view of the above, this application is disposed of by directing the Court of Additional Sessions Judge, Pune, before whom the anticipatory bail application of the applicant bearing Criminal Bail Application No. 6915 of 2024 is pending, to decide the said application today or if for any reason it is adjourned, the application shall be decided on or before 2nd December 2024.

6. It is made clear that this Court has refused to grant interim

protection to the applicant only because of pendency of the anticipatory bail application before the Sessions Court, which is listed today for further hearing. This Court is not making any observation or comment on merits of the matter. The Sessions Court shall proceed in the matter without being influenced by the contents of this order.

MANISH PITALE, J.