

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3279 OF 2024**

Azhar Azmat Ali Shaikh ... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. Shaikh Ebaad a/w. Shaikh Rukhsar for applicant.

Mr. Mayur S. Sonavane, APP for respondent-State.

Mr. Sachin M. Nikam, PSI, Pali Police Station, District Raigad.

**CORAM : MANISH PITALE, J.
DATE : 16th DECEMBER, 2024**

P.C. :

. On 09.12.2024, this Court passed the following order:

- “ 1. The applicant herein has directly approached this Court with a prayer for anticipatory bail. In this context, this Court put a question to the learned counsel appearing for the applicant as to how this application could be said to be maintainable, in the light of the judgment of this Court in the case of **Mohanlal vs. The State of Maharashtra 2007(4) Mh.L.J. 9**, wherein it is laid down that an accused ought to move the Sessions Court in the first instance, with a prayer for anticipatory bail, unless there are extraordinary circumstances to justify filing such an application in the first instance before this Court.
2. The learned counsel for the applicant seeks time to respond to the said question.
3. At the request of the learned counsel for the applicant, list on 16.12.2024, to be included in the production board.
4. It is made clear that there is no interim order in this application.”

2. The learned counsel for the applicant, on instructions, seeks permission to withdraw this application, as the applicant intends to approach the Sessions Court to seek anticipatory bail.

3. In view of the above, the application is disposed of as withdrawn, with liberty to the applicant to approach the Sessions Court.

(MANISH PITALE, J)

Priya Kambli