IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CR. ANTICIPATORY BAIL APPLN. NO. 505 OF 2026

Santram S/o. Mohinder Singh ……Applicant

Versus.

The State of Maharashtra & Anr. ……Respondents

None for Applicant.
Mr. S.H. Yadav, A.P.P. for Respondents-State.
Officer : PC/2530 Mr. Nikhil A. Gaikwad, Phaltan City Police Station, present.

Coram : **ASHWIN D. BHOBE, J.**

Date : **6th October 2026.**

PER COURT :

1. This application is at Serial No. 904 on the "Supplementary List".

2. On 9th September 2026, the following order was passed:

> *"1. When this Application was called out, neither the Applicant nor the Advocate on record was present, either in person or via V.C. mode.*
>
> *2. As this Application is for pre-arrest bail, perused the record.*
>
> *3. Issue notice to the Respondents.*
>
> *4. Ms. Deshmukh, learned A.P.P. appears, waives service of notice for*

the Respondents-State and states that in view of the absence of the Advocate for the Applicant, this matter be taken up in the month of October 2026.

5. List on 5th October 2026."

3. On 5th October 2026, the following order was passed:

"At the request of Learned Applicant, list the matter on 06/10/2026, Interim order, if any, to continue till then."

4. Today, when this application was called out, neither the Applicant nor the Advocate for the Applicant was present in Court, either physically or through V.C. mode.

5. Mr. Yadav, learned A.P.P. for the Respondents-State, refers to Exhibit "B" at page 30, wherein the Sessions Court dismissed Criminal Bail Application No. 148 of 2026 on 13th August 2026 by the following order:

"1] The applicant/accused has not mentioned his full name on the anticipatory bail application. The notice was issued to the police on this anticipatory bail application. The police have filed their reply that they cannot identify the accused. So they cannot file their reply.

2] As the applicant/accused has not mentioned his full name on the anticipatory bail application, this application cannot be allowed and so rejected."

6. Mr. Yadav, learned A.P.P. for the Respondents-State, submits that, in view of the defects in the Application for Anticipatory Bail, which are fatal to the Applicant's case, the Sessions Court has rejected the Application. He submits that no fault can be found with the rejection order dated 13th August 2026.

7. Mr. Yadav, learned A.P.P. for the Respondents-State, states that in the event the Applicant intends to apply for Anticipatory Bail, he would have to comply with the requirements of law, which would include furnishing his full name, complete address, all necessary particulars and thereafter approach the Sessions Court. He submits that if the Applicant complies with the said requirement, the Applicant can renew his request before the Sessions Court.

8. Mr. Yadav, learned A.P.P. for the Respondents-State, submits that in view of the unjustified absence of the Advocate for the Applicant and for the reasons recorded in the Order dated 13th August 2026, this application be dismissed.

9. In view of the absence of the Applicant / Advocate for the Applicant today, this Court has no alternative but to accept the submission made by Mr. Yadav, learned A.P.P. for the Respondents-State, and dismiss this Application for non-prosecution.

10. Though this Application is dismissed for non-prosecution, the dismissal of the Criminal Bail Application No. 148 of 2026 filed by the Applicant before the Sessions Court not being on merits, the Applicant is always at liberty to file a fresh Application for Anticipatory Bail before the Sessions Court, subject to compliance with the requirements of law. If such an Application is filed by the Applicant before the Sessions Court, it shall be considered on its own merits and in accordance with law.

11. The Anticipatory Bail Application No. 505 of 2026 is dismissed for non-prosecution.

[ASHWIN D. BHOBE, J.]

OMKAR SHIVAHAR KUMBHAKARN

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Date: 2026.10.07 10:51:02 +0530