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

CRIMINAL APPELLATE JURISDICTION

CR. ANTICIPATORY BAIL APPLN. NO. 876 OF 2023

Atul Bapu Kamble ……Applicant

VERSUS

The State Of Maharashtra ……Respondent

None for Applicant.
Mr. S. S. Chaudhari, A.P.P., for the Respondent-State.
ASI, Mr. S. K. Gaikwad, Mohol Police Station, District Solapur, present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 5th OCTOBER, 2026.

P.C.

SHANTANU SHANKARSA DHUDUM
Digitally signed by SHANTANU SHANKARSA DHUDUM
Date: 2026.10.05 17:17:47 +0530

1. By the present Application filed under Section 438 of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C."), the Applicant has sought pre-arrest bail apprehending arrest in Crime No. 0861 of 2021 registered at Mohol Police Station, Mohol, District Solapur.

2. Perusal of the record indicates that this matter was listed on 27th March 2023 and adjourned to 3rd April 2023. Thereafter, the matter was listed on 30th September 2026. On 30th September 2026, the following order was passed:

> *"1. This Application is today listed under the caption "Prioritized Cases" Names of the Applicant / Advocate for the Applicant were called out by the Shirestedar . None were present, either physically or through VC mode.*

2. This Application is of the year 2023, to afford an opportunity to the Applicant / Advocate for the Applicant to appear and argue the case, list this Application on 05/10/2026, under the caption "For Disposal"."

3. Today, this matter is listed at Serial No. 4 on the Daily Cause List. When this Application was called out, neither the Applicant nor the Advocate for the Applicant was present, either physically or through V.C. mode. The names of the Advocate on record, Mr. P. R. Yadav, and the Applicant, Atul Bapu Kamble, were called out by the Court Sheristedar. However, none appeared.

4. In view of the absence of the Applicant and the Advocate for the Applicant, Mr. S. S. Chaudhari, learned A.P.P. for the Respondent–State, insists upon dismissal of this Application. He further submits that although this Application was filed in March 2023, no interim order has been passed.

5. In view of the absence of the Applicant and the Advocate for the Applicant, this Court is left with no alternative but to accept the request made by Mr. S. S. Chaudhari, learned A.P.P. for the Respondent–State. Anticipatory Bail Application No. 876 of 2023 is, accordingly, dismissed for non-prosecution.

(ASHWIN D. BHOBE, J.)