

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 926 OF 2026**

Radha Ashish Giri ... Applicant

Versus

State Of Maharashtra ... Respondent

Mr. Amit Tiwari a/w Mridul Das, Rajlaxmi Dubey i/b Abhinav Dubey, for the Applicant.

Ms. Anagha Deshmukh, APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 4th May, 2026.

P.C. :

1. This Application is listed at Serial No. 29 along with Anticipatory Bail Application No. 935 of 2026 on today's Daily Board. At the request of Ms. Anagha Deshmukh, learned APP, this Application was taken out of turn and the same is de-tagged from Anticipatory Bail Application No. 935 of 2026.

2. By the present Application, the Applicant has sought for the following relief in terms of prayer clause (a) :-

a) The Applicant may be released on Interim bail at the time of his arrest on personal bond in the hand of Nallasopara Police Station, Mira Bhayander Vasai Virar

Police Commissionerate in FIR No 002 of 2026, registered with Nallasopara Police Station for the alleged offence punishable under section 318(4), 316(2), 336, 340(2) r/w 3(5) of Bhartiya Nagarik Sanhita, 2023 till pending and final disposal of the Anticipatory Bail Application bearing No. 202 of 2026 pending before the Ld. Sessions court, Vasai Palghar.

3. Ms. Deshmukh learned APP for the Respondent – State raises an objection to the maintainability as also the entertainability of the present Application on the ground that the Anticipatory Bail Application No. 202 of 2026 is pending before the Additional Sessions Judge, Vasai at Vasai. She therefore submits that this Application be dismissed.

4. Mr. Amit Tiwari, learned Advocate for the Applicant submits that the Anticipatory Bail Application No. 202 of 2026 is scheduled for hearing before the Additional Sessions Judge, Vasai at Vasai, tomorrow i.e. on 05.05.2026. He submits that the Applicant would be ready and shall proceed with the arguments without seeking an adjournment on 05.05.2026. He submits that a direction be issued to the Additional Sessions Judge, Vasai at Vasai, to dispose of the matter at the earliest, as there is apprehension in the mind of the Applicant of being arrested any moment.

5. Ms. Deshmukh, learned APP for the Respondent – State submits that the prosecution would be ready for arguments and would not seek an adjournment in the Bail Application No. 202 of 2026 on 05.05.2026.

6. The Hon'ble Supreme Court in the case of *Anna Waman Bhalerao v. State of Maharashtra*¹, in paragraph No. 18 have observed as follows :-

18. We accordingly issue the following directions:

a) High Courts shall ensure that applications for bail and anticipatory bail pending before them or before the subordinate courts under their jurisdiction are disposed of expeditiously, preferably within a period of two months from the date of filing, except in cases where delay is attributable to the parties themselves.

b) High Courts shall issue necessary administrative directions to subordinate courts to prioritise matters involving personal liberty and to avoid indefinite adjournments.

c) Investigating agencies are expected to conclude investigations in long-pending cases with promptitude so that neither the complainant nor the accused suffers prejudice on account of undue delay.

d) Being the highest constitutional fora in the States, High Courts must devise suitable mechanisms and procedures to avoid accumulation of pending bail/anticipatory bail applications and ensure that the liberty of citizens is not left in abeyance. In particular, bail and anticipatory bail applications shall not be kept

¹ 2025 SCC OnLine SC 1974

pending for long durations without passing orders either way, as such pendency directly impinges upon the fundamental right to liberty.

18.1. The Registrar (Judicial) of this Court shall circulate a copy of this judgment to all High Courts for immediate compliance and prompt administrative action.

7. Considering the above, this Court has no doubt in its mind that the Additional Sessions Judge, Vasai at Vasai, would make an endeavor to dispose of the said Bail Application at the earliest possible.

8. In view of the above, Mr. Amit Tiwari, learned Advocate for the Applicant, on instructions from the Applicant seeks leave to withdraw the present Application. Ms. Anagha Deshmukh, learned APP for the Respondent – State, does not object to the said request made by Mr. Amit Tiwari, learned Advocate for the Applicant.

9. Leave to withdraw, as prayed by Mr. Amit Tiwari is granted.

10. Anticipatory Bail Application No. 926 of 2026 is disposed of as withdrawn.

(ASHWIN D. BHOBE, J.)