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

ANTICIPATORY BAIL APPLICATION NO. 1057 OF 2026

Melroy Jerome Kinny : Applicant
Versus
The State of Maharashtra : Respondent.

Mr. Abid Mulani (Through VC), Mr. Ashish Agarkar (Through V.C.) and Adv. Harshada Parbhane for the Applicant.
Mr. Ameet Palkar, APP for the Respondent/State.
API Sanjay Patil, EOW, Navi Mumbai present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 27 APRIL 2026

PC:-

1. Heard Mr. Abid Mulani, learned Advocate for the Applicant and Mr. Ameet Palkar, learned APP for the Respondent/State.
2. By the present Application under Section 482 of the BNSS 2023, the Applicant assails the order dated 16th April 2026 passed by the Court of the Additional Sessions Judge, Belapur (hereinafter "Sessions Court"), in Criminal Bail Application No. 322 of 2026, rejecting interim bail and further

seeks interim bail pending disposal of Criminal Bail Application No. 322 of 2026 by the Sessions Court.

3. The Applicant is before the Sessions Court, seeking pre-arrest bail by way of the Criminal Bail Application No. 322 of 2026 filed under Section 482 of the BNSS 2023. By order dated 16th April 2026, the Sessions Court, declined interim bail pending Criminal Bail Application No.322 of 2026.

4. Mr. Abid Mulani, learned Advocate for the Applicant states that Criminal Bail Application No. 322 of 2026 is fixed before the Sessions Court on 29th April 2026 for final arguments. He submits that the present Application seeks interim bail pending the disposal of Criminal Bail Application No. 322 of 2026 by the Sessions Court. He refers to paragraph 4 of the order dated 16th April 2026 and submits that the Sessions Court's observation that the Applicant's previous anticipatory bail application was rejected on 17th February 2025 is factually incorrect, as that order does not pertain to the Applicant. He further submits that Respondent No. 1 has, to date, not filed its Reply/Say in Criminal Bail Application No. 322 of 2026 and therefore, the matter fixed before the Sessions Court on 29th April 2026 may not proceed.

5. Mr. Ameet Palkar, learned APP for the Respondent/State, objects to entertaining this Application for interim bail on the ground that Criminal Bail Application No.322 of 2026 is scheduled for 29th April 2026. He states that the prosecution shall file its Reply /Say in Criminal Bail

Application No.322 of 2026 on or before 29th April 2026 and shall proceed with the arguments in the said Application on the said date without seeking an adjournment. He therefore states that this Application may not be entertained and that Criminal Bail Application No.322 of 2026 be heard on merits before the Sessions Court.

6. Considering the above submissions made by the learned Advocates for the parties and the fact that Criminal Bail Application No. 322 of 2026 is scheduled for hearing before the Sessions Court on 29th April 2026 (i.e. just two days from today), I am not inclined to entertain this Application.

7. The Sessions Court is requested to make an endeavour to hear the arguments on the date scheduled in Criminal Bail Application No. 322 of 2026 and to dispose of the said pre-arrest bail application at the earliest convenient date for the Sessions Court.

8. The statement made by Mr. Ameet Palkar, APP for the Respondent/State, that the prosecution shall file the Reply/Say and not seek an adjournment on 29 April 2026, is taken on record.

9. Mr. Abid Mulani, learned Advocate for the Applicant, states that the Applicant will not seek an adjournment on 29th April 2026.

10. All contentions of the Applicant and the Respondent remain open for consideration by the Sessions Court.

11. In view of the above, Criminal Anticipatory Bail Application No.1057 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)