

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE – CRIMINAL
CRIMINAL MISC. APPLICATION NO.3 OF 2015
IN
CRIMINAL BAIL APPLICATION NO.2043 OF 2014

Mr. Satyaprakash Vidyadhar Dubey First Informant/Intervener

In the matter between

Mr. Jitendra Jagdish Dubey ... Applicant

Vs.

The State of Maharashtra Respondent

Mr. Sunny Singh, i/b Mr. Rishi Bhuta &
Mahesh Patil for the Applicant.

Mr. L.M. Shukla, for the Intervener.

Mrs. Rutuja Ambekar, APP for the Respondent-State.

Mr. K.B. Patil, PSI, present.

CORAM: P.D. KODE, J.

DATED: JANUARY 07, 2015

PC:

Having regard to the decision of the Apex Court in the case of *“Sudeep Kumar Bafna vs. State of Maharashtra and Another”*¹ and particularly observations made in para 56, it is difficult to entertain the prayer for intervention taken in anticipatory bail. It appears accordingly as bail and anticipatory bail though nomenclature is different both germane from the same species. Having regard to it as per the above referred decision, the complainant/intervener is not entitled to intervene

¹. AIR 2014 SC 1745.

in the anticipatory bail proceedings. He will not have any right to interfere in the proceedings for pre-arrest bail. However, the intervener is at liberty to exercise the rights within four corners of Section 301 of the Code of Criminal Procedure.

2. The Criminal Application No.3 of 2015 stands disposed of.

(P.D. KODE, J.)