

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE – CRIMINAL
APPLICATION NO.30 of 2015
IN
ANTICIPATORY BAIL APPLICATION NO.32 OF 2015

Glenn Joseph Benett	... Intervener
In the matter between	
Yasin Suleman Umatiya & Ors.	...Applicants
Vs.	
The State of Maharashtra	... Respondent

Mr. O.A. Siddiqui for the Intervener
Mr. Ajay Basutkar for Applicants
Mrs. A.A. Mane, APP, for the Respondent-State.

CORAM: P.D. KODE, J.

DATED: JANUARY 22, 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 in the anticipatory bail proceedings. He will not have any right to

¹. AIR 2014 SC 1745.

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.30 of 2015 stands disposed of.

(P.D. KODE, J.)