

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.67 OF 2015
IN
BAIL APPLICATION NO.2596 OF 2014

Surendran Nayar ...Intervener

(In between the matter)

Mohan Laxman Pathare ...Applicant

vs.

State of Maharashtra ...Respondent

Mr. S.M. Deshpande i/b. Mr. C.K. Talekar,
learned Advocate for the Intervener.
Mr. S.H. Yadav, learned APP for the State.

CORAM : P.D. KODE, J.

DATE : FEBRUARY 06, 2015

P.C.

. 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

1. AIR 2014 SC 1745.

application. 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 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.

The Criminal Application No.67 of 2015 stands disposed of.

(P.D. KODE, J.)