

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE – CRIMINAL
CRIMINAL APPLICATION NO.729 OF 2014

Dr. Nathuram R. Rohila	... Intervenor
In the matter between	
Devendra Shrihari Pagare	... Applicant
Vs.	
The State of Maharashtra	 Respondent

Mr. Nathuram R. Rohila, intervenor-in person present.
Mr. Hemant Ingale for the Applicant.
Mrs. A.A. Mane, APP for the Respondent-State.

CORAM: P.D. KODE, J.

DATED: JANUARY 8, 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 interfere in the proceedings for pre-arrest bail. However, the intervenor is at liberty to exercise the rights within four corners of Section 301 of the Code of Criminal Procedure.

¹. AIR 2014 SC 1745.

2. The Criminal Application No.729 of 2014 stands disposed of.

(P.D. KODE, J.)