

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE – CRIMINAL
APPLICATION NO.864 of 2014
IN
ANTICIPATORY BAIL APPLICATION NO.1583 OF 2014

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

Mr. O.A. Siddiqui & Rajendra Rtathod for the Intervener.
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 interfere in the proceedings for pre-arrest bail. However, the intervener

¹. AIR 2014 SC 1745.

is at liberty to exercise the rights within four corners of Section 301 of the Code of Criminal Procedure.

2. The Criminal Application No.864 of 2014 stands disposed of.

(P.D. KODE, J.)