

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.299 OF 2015

Satish Bhupatbhai Kanani	... Applicant
Vs.	
The State of Maharashtra	... Respondent

Mr. Ashok M. Saraogi a/w. Mr. Anand Mishra, Advocate for the Applicant
Mr. D.P. Adsule, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **JUNE 30, 2015**

P.C.:

This is a second bail application, as earlier bail application No.1635 of 2014 was rejected on 1st September, 2014 by this Court.

2. The learned Counsel for the applicant/accused submitted that at the time of rejecting the first bail application, this Court has considered the case of the principal accused Taufiq Kazi and decided two applications together. Secondly, in the reasoning, this Court also held that the two accused were to be arrested. The learned Counsel submitted that these are the two reasons, which are change of circumstances and hence this application for bail. The learned counsel Mr. Saraogi relied on the order passed by my brother Judge **on 25th April, 2013 in Bail Application no. 494 of 2013 in the case of Ashok Ratanchand Jain vs. State of Maharashtra** wherein the second Bail Application was entertained on the ground of change of circumstances.

3. Learned Prosecutor has opposed the application.

4. In the case of **Ashok Ratanchand Jain** (*supra*), the first Bail Application was rejected, thereafter supplementary charge sheet was filed and second Bail Application was entertained and that was considered one of the change of circumstance. In the said case, the applicant/accused was given bail for about 5 months on medical grounds as he was suffering from cancer and thereafter he was taken in custody. This circumstance in this case is different from that of the present case. In my view, there is no change of circumstance. Hence, the bail application is rejected.

(MRS.MRIDULA BHATKAR, J.)