

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1963 OF 2015

Subhash Kamat ... Appellant

Vs.

State of Maharashtra ... Respondent

Mr.Prasad Kulkarni for the Appellant
Mr.Shrikant Yadav, APP, for Respondent / State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **21st OCTOBER, 2015**

P.C.:

1. This is a second bail application as the first bail application No.1117 of 2014 was rejected by order of this Court dated 22.8.2014. The applicant is facing charges under sections 406, 409, 420 r/w section 34 of the Indian Penal Code, under sections 4 and 5 of the Prize, Chits and Money Circulation Scheme (Banning) Act and also under sections 3 and 4 of the Maharashtra Protection of Interest of the Depositors Act, 1999.

2. The learned Counsel appearing for the applicant/accused has submitted that the applicant is in jail since last two years. He submitted that the applicant was arrested on 3.10.2013. He submitted that till now, the trial has not commenced. Nothing is changed is the change of circumstance. He submitted that the applicant is prosecuted in three other

offences, however, bail is granted in those three cases and only in this case, he is detained in the prison.

3. Learned Prosecutor has opposed the bail application.

4. Perused the earlier order. Bail granted in other offences may be a change of circumstance, however, it is not a valid ground to grant bail. In the present case, I do not find any other change of circumstance to grant bail.

5. Accordingly, the bail application is rejected. The Special judge, MPID Court, is directed to commence the trial and endeavour to complete it within one year.

(MRIDULA BHATKAR, J.)