

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 1323 OF 2018****IN****CRIMINAL APPEAL NO. 560 OF 2012**

Deepak @ Anna Sitaram KateApplicant

Vs.

The State of MaharashtraRespondent.

WITH**CRIMINAL APPEAL NO. 640 OF 2013**

The State of MaharashtraAppellant

Vs.

Sitaram Sampat Kate & Anr.Respondents.

Mr. C.K. Pendse a/w Mr. A.M. Gosavi I/by GMS Legal for the Applicant.

Mr. J.P. Yagnik, APP for the Respondent-State.

CORAM : A. S. OKA, AND**A. S. GADKARI, JJ.****DATE : 11th FEBRUARY, 2019.****P.C.:-**

Earlier Application for bail made by the Applicant has been rejected by an Order dated 5th May, 2015 for the reasons recorded therein. As both the Hon'ble Judges forming a part of the Division Bench which rejected the earlier Application have retired, this Bench being the regular Bench, will have to hear the Application.

2 We find that no case for change in circumstances is made out.

3 However, the Applicant has undergone sentence for 8 years and 5 months. We, therefore, direct that the Appeal shall be listed at appropriate serial number in the week commencing from 25th February, 2019 considering the fact that the Applicant has undergone sentence for 8 years and 5 months.

4 Accordingly, with the above directions, we dispose of the Application. We make it clear that the prayer for grant of bail stands rejected.

(A.S. GADKARI, J.)

(A.S. OKA, J.)