

IN THE HIGH COURT OF BOMBAY AT GOA

**CRIMINAL APPLICATION (BAIL) NOS. 224, 226, 227 &
235 OF 2016**

CRIMINAL APPLICATION (BAIL) NO. 224 OF 2016

MR. ASHOK BABU WADDAR., ... Applicant

Versus

STATE THR. P.I., PONDA POLICE
STATION, PONDA AND ANR., . .. Respondents

WITH
CRIMINAL APPLICATION (BAIL) NO. 226 OF 2016

MR. BALA RAMAPPA BENDIGERI Applicant

Versus

STATE THR. P.I., PONDA POLICE
STATION, PONDA AND ANR., . .. Respondents

WITH
CRIMINAL APPLICATION (BAIL) NO. 227 OF 2016

MR. ARJUN HANCHINMANI Applicant

V e r s u s

STATE THR. P.I., PONDA POLICE
STATION, PONDA AND ANR., . .. Respondents

WITH

CRIMINAL APPLICATION (BAIL) NO. 235 OF 2016

MR. BALARAJ RAMESH DODAMANI ... Applicant

V e r s u s

STATE THR. P.I., PONDA POLICE
STATION, PONDA AND ANR., . .. Respondents

Mr. Menino Teles, Advocate for the applicants.

Mr. S. R. Rivonkar, Public Prosecutor for the respondents.

Coram:- F. M. REIS, J.

Date:- 22nd December, 2016

P.C.

Heard Mr. M. Teles, learned counsel appearing for the applicants and Mr. S. R. Rivonkar, learned Public Prosecutor appearing for the respondents.

2. Mr. Rivonkar, learned Public Prosecutor states that all the above applications may be disposed of by a common order as the facts are substantially identical.

3. The above applications are filed for anticipatory bail by the applicants apprehending their arrest on the basis of an FIR No.288/2016 dated 15.10.2016 registered against them for offences punishable under Sections 143, 147, 323, 452, 427, 392, 506(ii) read with 149 of the Indian Penal Code and Section 7 of the Arms Act, 1959.

4. During the course of the hearing of the above applications on the last date it was pointed out by Mr. M. Teles, learned counsel appearing for the applicants that there was a cross complaint lodged by the applicants against the original complainant. After the matter was heard for quite some time, Mr. Rivonkar, learned Public Prosecutor submitted that the applicants may be asked to join in the investigation before the Investigating Officer. Accordingly, by an order dated 16.12.2016 the applicants were directed to join in the investigation and report to the Investigating Officer on the dates mentioned therein.

5. When the above applications were taken up today,

Mr. Rivonkar, learned Public Prosecutor submits that the applicants have in fact joined in the investigation and as per the instructions of the Investigating Officer, the applicants are cooperating with the investigation. In such circumstances, the learned Public Prosecutor upon instructions states that conditional bail may be granted at the moment as custodial interrogation may not be required at this stage.

6. In view of the above, considering the allegations made in the above applications, the admitted position is that a cross complaint has also been lodged against the original complainant whereby the applicants suffered injuries. In such circumstances, I find that the applicants are entitled for a conditional bail on the following terms. Hence, I pass the following :

ORDER

(i) In case the applicants are arrested, the respondents are directed to release all the applicants on bail upon executing a personal bond of Rs.20,000/- each with one local surety of the like amount to the satisfaction of the Investigating Officer.

(ii) The applicants shall report to the Investigating Officer for seven consecutive days from 23.12.2016 at 10.00 a.m., and as and when directed by the Investigating Officer.

(iii) The applicants shall not leave the State of Goa without obtaining the written permission from the Investigating Officer and furnish their local permanent addresses.

(iv) The applicants shall not directly or indirectly interfere with any of the witnesses or evidence in connection with the said incident.

(v) The applicant shall surrender their passports, if any, to the Investigating Officer and not change their respective residential addresses without the permission of the Investigating Officer.

(vi) The applicants shall cooperate in the investigation being carried out by the Investigating Officer.

(vii) All the applications stand disposed of accordingly.

F. M. REIS, J.

at*