

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (BAIL) NO.190 OF 2017

Mr. Lakhi Das

... Applicant

Versus

State, through the Incharge of
Verna Police Station & Anr.

... Respondents

Shri A.D. Bhobe, Advocate for the Applicant.

Shri S.R. Rivankar, Public Prosecutor for the Respondents.

Coram:- NUTAN D. SARDESSAI, J.

Dated :- 31st August, 2017

ORDER :

Heard Shri A.D. Bhobe, learned Advocate for the applicant and Shri S.R. Rivankar, learned Public prosecutor for the respondents.

2. It was contended by Shri A.D. Bhobe, learned Advocate for the applicant that the applicant has been charged for the offence punishable under Sections 324, 504, 506(ii) r/w. Section 34 I.P.C. His application for bail in anticipation of his arrest was rejected by the Additional Sessions Judge vide the order dated 19/07/2017. It was his further contention that the applicant was falsely implicated in the offence at the instance of one Jeebon, who had filed a case against him with

malafide intentions. Besides, it was also his contention that the other three suspects arrayed alongwith the applicant had been secured with the benefit of anticipatory bail by the learned Additional Sessions Judge, Margao and this fact is also confirmed by the reply filed on behalf of the respondent No.2. Hence, on the ground of parity the applicant is entitled to bail in anticipation of arrest.

3. In view thereof, the application is allowed. Considering the nature of the offence involved, i pass following

O R D E R

(i) In the event of arrest, he shall be enlarged on bail on furnishing a Personal Bond in the sum of ₹10,000/-(Rupees Ten Thousand Only) with one local surety in the like amount.

(ii) Shri S.R. Rivankar, learned public prosecutor on instructions submits that there were other suspects who have been directed to report at the Verna Police Station for a period of three days for investigation and the same condition would apply to the applicant who would report for three days w.e.f. tomorrow between 10.00 hrs. till 13.00 hrs.

and as and when required by the Investigating Officer.

(iii) The applicant shall not leave the State of Goa without the prior written permission from the Investigating Officer.

(iv) The application stands disposed off accordingly.

(v) Parties to act upon the authenticated copy of this order.

NUTAN D. SARDESSAI, J.

MV