

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION (BAIL) NO. 284 OF 2017

Mr Januario Miranda

..... Applicant

V e r s u s

1. STATE & anr.

..... Respondents

Shri Y. Kotkar, Advocate for the Applicant.

Shri Mahesh Amonkar, Addl. Public Prosecutor for the Respondents.

Coram :- NUTAN D. SARDESSAI, J

Date : 24th November 2017

ORAL ORDER

Heard Shri Y. Kotkar, learned Advocate appearing for the Applicant and Shri Mahesh Amonkar, learned Addl. Public Prosecutor appearing on behalf of the Respondents.

2. i have considered the application and the say filed on behalf of the State and from which it is apparent that the Applicant was booked for the offence under Section 307 of IPC amongst others on the premise that he had assaulted a Police Officer who was in the course of the discharge of his duty. It is otherwise borne out from the application and which is not seriously disputed on behalf of the State, that the Applicant is a mental patient undergoing treatment at the IPHB, Bambolim and is

otherwise disoriented. Besides and without prejudice to the rights of the State, it is not as if the Applicant had any pre-meditation on the issue and it was a spur of the moment reaction of the Applicant to allegedly assault the Police Office while he was discharging the duty.

3. Be that as it may, i am inclined to enlarge the Applicant on bail which is ordered on the following terms and conditions:

(1) The Applicant shall be enlarged on bail upon executing a personal bond of ₹25,000/- to the satisfaction of the learned Addl. Sessions Judge, Mapusa.

(2) In these terms, the application stands disposed off.

NUTAN D. SARDESSAI, J.

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