

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (BAIL) NO. 76 OF 2018

**RAVINDRA DHAKETA, PRESENTLY IN
JUDICIAL CUSTODY AT CENTRAL JAIL
COLVALE, THR. SHRIPAD SAWANT.,**

... Applicant

Versus

**THE STATE OF GOA, THR. POLICE
INSPECTOR PERNEM POLICE STATION,
PERNEM.,**

... Respondent

Shri Ryan Da Piedade Menezes, Advocate for the applicant.

Shri M. Amonkar, Additional Public Prosecutor for the
respondent.

Coram:- C. V. BHADANG, J.

Date:- 12th April 2018

P.C.

This is an application for bail. The applicant is facing prosecution for the offence punishable under Section 370 of Indian Penal Code (IPC) and Sections 4, 5 and 7 of the Immoral Traffic (Prevention) Act, 1956 before the learned Sessions Judge.

The trial is stated to be in progress. The applicant is in custody since 18/10/2016.

2. On hearing the learned Counsel for the applicant and the learned Additional Public Prosecutor for the respondent, it appears that in spite of several efforts, the prosecution has been

unable to secure the presence of CW9, who is the victim girl. This application for bail was adjourned on the last date as it was submitted that the Sessions Case was fixed yesterday for examination of the victim girl, who is CW9. Today, the learned Additional Public Prosecutor, on instructions, submits that even yesterday, the presence of the victim girl could not be secured on account of change of address. The application for bail is mainly opposed on the ground that the applicant hails from Madhya Pradesh and would not be available for trial. I find that the apprehension can be taken care of by imposing appropriate conditions.

3. The learned Additional Public Prosecutor submits that if this Court is inclined to grant bail to the applicant, a condition for furnishing local surety may be imposed. Considering the overall circumstances, the following order is passed :

ORDER

- (i) The application is allowed.
- (ii) The applicant shall be released on bail on executing a PR Bond in the sum of Rs.50,000/- with one or two solvent sureties in the like amount, out of which at least one surety shall be a local surety.
- (iii) The applicant shall furnish his native address of Madhya Pradesh along with proof before the learned Sessions Judge.

(iv) Bail bonds to be furnished before the learned Sessions Judge.

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

C. V. BHADANG, J.

SMA