

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (BAIL) NO. 111 OF 2018

**VIJAY POPAT PATOLE, PRESENTLY AT
CENTRAL JAIL, COLVALE.,**

... Applicant

Versus

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

... Respondent

Adv. Ryan Da Piedade Menezes, Adv. G. Almeida and Adv. Ms.
G. Xettigar for the Applicant.
Mr. S. R. Rivankar, Public Prosecutor for the Respondent/State.

Coram:- C. V. BHADANG, J.

Date:- 13th April 2018

Oral Order:

This is an application for bail.

2. The applicant has been arrested in connection with investigation of an offence punishable under sections 342, 395, 427 of I.P.C and 120-B r/w Section 8 of the Goa Children's Act, 2003. The prosecution case is that there was an incident of house breaking and dacoity at the house of the complainant Keshvnath Naik between 2.30 am to 3.30 a.m. in the night intervening between 6th March and 7th March 2016. It is said that in the said incident seven unidentified persons wearing black masks armed with knife and wooden sticks had entered into house of the

complainant through the back door. The complainant and his family members including his minor daughter was tied with a help of a cloth and the accused committed dacoity and carried away cash and gold ornaments. In so far as the present applicant is concerned, the allegation is that he was staying with some of the co accused in a hotel and there is recovery of some cash from the applicant which is not relatable in the disclosure statement under section 27 of the Evidence Act. Be that as it may, considering the fact that some of the co accused have been already released on bail, discretion can be exercised subject to conditions. Hence the following order is passed:

Order:

- (i) The applicant shall be released on bail on execution of P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties in the sum of Rs.25,000/- each, out of which, one surety shall be a local surety.
- (ii) The applicant shall furnish his permanent residential address along with proof before the learned Sessions Judge.
- (iii) The applicant shall not interfere and/or tamper with the prosecution witnesses in any manner.
- (iv) In the event of breach of any of the conditions, the bail is liable to be cancelled.

((v) The Bail Bonds to be furnished before the learned Sessions Judge.

C. V. BHADANG, J.

ap/-