

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (BAIL) NO. 283 OF 2018

KANTA GAWDE, PRESENTLY AT CENTRAL
JAIL COLVALE., ... Applicant

Versus

STATE OF GOA, THR. PUBLIC
PROSECUTOR AND ANR., ... Respondents

Shri Vibhav Rajiv Amonkar, Advocate for the Applicant.

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

Coram:- C. V. BHADANG, J.

Date:- 19th September 2018

P.C.

This is an application for bail.

2. The applicant is facing trial for the offence punishable under Section 307 of IPC, for attempting to murder his father, who is about 80 years old. The prosecution has examined the complainant Bhupat Gaude (PW-1) and the victim Jaidev Gaude (PW-2) alongwith Jano Gaude (PW-3) and Suchan Gaude (PW-4), who are respectively the brother and sister of the applicant. The complainant is also a brother of the applicant. The trial is part heard.

3. I have gone through the evidence of PW-1 to PW-4. Prima facie, it appears that the complainant Bhupat Gaude (PW-1) as

well as the victim Jaidev Gaud (PW-2), have not attributed any overact to the applicant, showing his complicity in the offence. It is not disputed that there is no other eye witness to the incident. Thus, prima facie, considering the evidence at this stage, the applicant, who is in custody from 09.09.2017, can be released on bail.

4. In the result, the following order is passed:

O R D E R

- (a) The application is allowed.
- (b) The applicant shall be released on bail, on execution of a P.R. bond in the sum of Rs.50,000/-, with one or two solvent sureties in the like amount.
- (c) The applicant shall not threaten or influence the prosecution witnesses and particularly, the members of his own family.
- (d) In the event of breach of any of the conditions, the bail is liable to be cancelled.
- (e) Bail Bonds to be furnished before the learned Sessions Judge.

C. V. BHADANG, J.

EV