

IN THE HIGH COURT OF BOMBAY AT GOA.**CRIMINAL WRIT PETITION NO. 24 of 2019.**

Shri Kamlakant Gopinath Phadte, 47
years of age, Convict Prisoner
No.20/2018, Presently serving
sentence at Modern Central Colvale
Jail, Colvale, Goa. Petitioner.

Versus

- 1) The Office of Superintendent
Central Jail Colvale, Colvale,
Bardez Goa.
- 2) Public Prosecutor, High Court
Building, AG's office, High Court,
Panaji Goa. Respondents.

Mr. T. George John, Advocate for the petitioner.
Mr. S. R. Rivankar, Public Prosecutor for the respondents.

**Coram:- M. S. Sonak &
Prithviraj K. Chavan, JJ.
Date:- 25th February, 2019.**

ORAL JUDGMENT (Per M. S. Sonak, J.)

Heard Mr. T. George John, learned Counsel appearing
for the petitioner and Mr. S. R. Rivankar, learned Public Prosecutor
appearing for the respondents.

2. Rule. With the consent of and at the request of the
learned Counsel for the parties, Rule is made returnable forthwith.

3. Mr. S. R. Rivankar, learned Public Prosecutor waives notice on behalf for the respondents.

4. Mr. Rivankar, learned Public Prosecutor states that personal bond as well as surety bound amount may be reduced from Rs.1,00,000/- (Rupees one lakh only) to Rs.25,000/- (Rupees twenty five thousand only).

5. Mr. T. George John, however, states that this amount has to be reduced to Rs.10,000/- (Rupees ten thousand only) and for this purpose relied upon the order made by this Court in Criminal Writ Petition No.146 of 2016 dated 24.11.2016.

6. According to us, the order dated 24.11.2016 was made in the peculiar facts of the said case and, therefore, cannot be cited as a precedent. In any case, taking into consideration Income Tax Returns produced on record by the petitioner, we are satisfied that reduction amount of the bond to Rs.25000/- (Rupees twenty five thousand only) will meet ends of justice. Accordingly, bond amount is reduced to Rs.25,000/- (Rupees twenty five thousand only) and rule is disposed of in the aforesaid

terms.

7. All concerned to act on the basis of the authenticated copy of this order.

PRITHVIRAJ K. CHAVAN,J.

M. S. SONAK, J.