

IN THE HIGH COURT OF BOMBAY AT GOA**CRIMINAL WRIT PETITION NO.262 OF 2019**

Mr. Florian Kern,
s/o. Mr. Kalus Kern,
aged 33 years, German National,
presently lodged at Central
Modern Jail, Colvale,
Bardez – Goa.

.... Petitioner

V/s.

1. State,
(As represented by Officer-In-charge),
Crime Branch, Ribander,
Ribander, Goa.

2. The Public Prosecutor,
High Court Building,
Altinho Panaji, Goa.

.... Respondents

Ms. C. Collasso along with Mr. K. Poulekar, Advocates for the
Petitioner.

Mr. S.R. Rivankar, Public Prosecutor for the State.

**Coram : M. S. SONAK &
SMT. M.S. JAWALKAR, JJ.**

Date : 16th December, 2019.

Oral Order: (Per M.S. Sonak, J.) :

Heard Ms. Caroline Collasso along with Mr. K. Poulekar, the learned Counsels for the petitioner and Mr. S.R. Rivankar, the learned Public Prosecutor, for the respondents.

2. The two substantive reliefs prayed for by the petitioner in this petition read as follows:

a) That necessary orders be passed directing the Ld. Hon'ble Addl. Sessions Judge, Panaji to hear and dispose of the Bail Application (Exh.4) in NDPS No.50/2019 expeditiously.

b) That necessary Order be passed directing the Ld. Hon'ble Addl. Sessions Judge, Panaji, to dispose of NDPS Case No.50/2019 within a time frame of six months as the petitioner has already undergone one year sentence pending trial.

3. For the present, it is not possible to issue any directions to dispose of the NDPS Case No.50/2019 within time the framed as suggested by the petitioner. However, if the petitioner's bail application is indeed pending in the said case, then, the learned Additional Sessions Judge before whom the main case is pending is certainly required to dispose of such bail application in accordance with law and on its own merits as expeditiously as possible.

4. Accordingly directions are issued for the disposal of the bail application, if pending, within a period of two weeks from the date of Authenticated copy of this Order is filed before the learned Additional Sessions Judge.

5. All concerned to act on the basis of an authenticated copy of this Order.

6. The petition is disposed of in the above terms.

SMT. M.S. JAWALKAR, J. M. S. SONAK, J.

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