

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 51 OF 2019
IN
CRIMINAL APPLICATION (BAIL) NO. 218 OF 2014

ALISTAN LOBO., ... Applicant

Versus

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

Mr. Yogesh V. Nadkarni, Advocate for the Applicant.
Mr. S. R. Rivankar, Public Prosecutor for the State-Respondents.
Mr. S. D. Lotlikar, Senior Advocate with Ms. A. Naik, Advocate
for the Intervenor.

Coram:- C. V. BHADANG, J.

Date:- 5th March 2019

P.C.

This is an application for relaxation of the condition of bail of the applicant.

2. The applicant was directed to be released on bail by this Court by an order dated 27.11.2014 in CRMAB 218/14. The applicant is seeking relaxation of the following conditions :

"(iii) The applicant shall not leave India without the previous permission of the Special Judge.

(iv) The applicant shall surrender his passport, if any, with the Investigating Officer within a period of 8 days from today."

3. I have heard Mr. Nadkarni, the learned Counsel for the applicant and Mr. Rivankar, the learned Public Prosecutor for the respondents.

4. Prima facie, the allegations against the applicant who is a practicing Advocate, are that he is one of the allottees of a plot of the Comunidade. The investigation is in progress since the year 2014. The Investigating Officer had required the presence of the applicant only once i.e. in the year 2014 and thereafter the presence of the applicant was not required by the Investigating Officer. The applicant was permitted by the learned Sessions Judge to travel abroad on two occasions.

5. Mr. Nadkarni, the learned Counsel for the applicant submits that the applicant shall furnish the details of his immovable property in Goa on affidavit before the Investigating Officer within two weeks from today.

6. Mr. Rivankar, the learned Public Prosecutor, on instructions from the Investigating Officer, states that for the present, the presence of the applicant is not required for the purpose of

investigation and the condition may be relaxed subject to the applicant giving a prior intimation to the Investigating Officer before travelling abroad.

7. In the result, the application is allowed. The condition nos.(iii) and (iv) as above of the order dated 27.11.2014 are hereby relaxed subject to the condition of the applicant furnishing the details of his immovable property on affidavit before the Investigating Officer within two weeks from today. The applicant shall give prior intimation to the Investigating Officer before travelling abroad along with the address where the applicant would be staying abroad and the date of his return.

8. The Criminal Application is disposed off in the aforesaid terms.

C. V. BHADANG, J.

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