

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION (BAIL) NO. 43 OF 2021

Mahesh Shivaji Naik

..... Applicant

V e r s u s

State,

Thr. Public Prosecutor & anr.

..... Respondents

Mr. Dinesh Eknath Naik, Advocate for the Applicant.

Mr. Pravin Faldessai, Additional Public Prosecutor for the State-Respondents.

Coram :- NITIN W. SAMBRE, J.

Date : 24th March, 2021

P.C.

Heard respective Counsel.

2. The applicant is seeking pre-arrest bail in Crime No. 152 of 2020 registered with the Non-Applciant Police Station for an offence punishable under Sections 324, 326 and 504 read with Section 34 of Indian Penal Code.

3. I have perused the say filed by the Respondent-Prosecution before the Trial Court which is relied on by the learned Additional Public Prosecutor,

Shri Pravin Faldessai.

4. Shri Faldessai, learned Additional Public Prosecutor, would urge that there is enough material to implicate the applicant in the crime particularly having regard to the investigations carried out till date including the confessional statement of the co-accused.

5. I have considered the said submissions including the say filed by the Respondents before the Trial Court. It is required to be noted that there are no criminal antecedents.

6. The offence was registered on 30.11.2020. The Applicant is very much available for the investigations. As far as the complaint is concerned, the Applicant is not named as an accused with a specific role. Though the prosecution has relied on the confessional statement of the co-accused, at this stage, the involvement of the Applicant in the crime cannot be inferred based on the said piece of evidence.

7. In that view of the matter, I pass the following :

ORDER

- (i) In the event of arrest, PR Bond of ₹ 25,000/- with one or more sureties in the like-amount to the satisfaction of the learned

District and Sessions Court, Panaji.

(ii) The applicant shall not influence the witnesses or tamper with the evidence.

(iii) The applicant to attend before the Investigating Officer from 26.03.2021 to 31.03.2021 every morning from 10.00 a.m. to 12.00 noon. Thereafter, he shall attend the Police Station as and when directed by the Investigating Officer.

(iv) The application is allowed in the aforesaid terms.

NITIN W. SAMBRE, J.