

Meena

**IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION BAIL NO. 50 OF 2021.**

JERRY FERNANDES ,PRESENTLY
LODGED AT COLVALE JAIL, THR. ...Applicant
HIS NEXT FRIEND SEBASTIAN
LEROY LOBO

Versus

STATE OF OFFICER IN CHARGE OF
ANJUNE POLICE STATION ...Respondent

Mr. Nigel Da Costa Frias, Advocate for the petitioners.

Mr. P. Faldessai, Addl. Public Prosecutor for the
respondent – State.

CORAM: MANISH PITALE, J.

DATED: 2nd September, 2021.

P.C.:

1. Heard Mr. Nigel Da Costa Frias, learned Advocate for the applicant and Mr. P. Faldessai, learned Additional Public Prosecutor for the respondent.

2. In the present case, the applicant is seeking bail in connection with the offence registered against him under Sections 354 and 376 of I.P.C. as per FIR No. 38 of 2021 registered on 05/03/2021 at Anjuna Police Station, North Goa. The FIR shows that the incident has occurred on 05/11/2020 while the report leading to the registration of FIR was submitted before the

Police Station on 05/03/2021, which was about five months after the date of the incident.

3. The statement of the friend of the complainant who was allegedly accompanying her at the date and time of the incident shows that she has not supported the version of the complainant. In any case, the applicant was arrested and subjected to custodial interrogation and he has already given his statement.

4. These facts have been taken into consideration by this Court while granting interim bail by order dated 09/04/2021. The learned Additional Public Prosecutor informs this Court that the investigation is complete and charge-sheet has been filed.

5. In view of the above, it will be in the interest of justice that the interim bail granted to the applicant is confirmed. It is hereby confirmed.

6. Accordingly, the application is allowed.

MANISH PITALE, J.