

Vinita

**IN THE HIGH COURT OF BOMBAY AT GOA**  
**CRIMINAL MISC. APPLICATION NO.13 OF 2022.**  
**IN**  
**CRIMINAL APPLICATION BAIL NO. 4 OF 2022.**

PANKAJ KUMAR MALI, THR. NEXT  
FRIEND ANJU AKKA PRESENTLY IN  
JUDICIAL LOCK UP AT MODERN JAIL ...Applicant  
COLVALE  
VS  
STATE, THR. PUBLIC PROSECUTOR AND ...Respondents  
ANR

Mr. A. Bras Desa and Mr. A. Gaoker, Advocates for the  
applicant.  
Mr. Addl. Public Prosecutor for the respondents.

**CORAM: MANISH PITALE, J.**  
**DATE: 9<sup>th</sup> March, 2022.**

**P.C.:**

1. Heard Mr. A. Desa, learned Counsel appearing for the applicant.
2. By this application, the applicant has approached this Court for a direction to the Sessions Court for accepting the surety. This is in the backdrop of the order dated 22.2.2022 passed by this Court whereby the applicant was directed to be released on bail on furnishing personal bond of Rs.50,000/- and one surety in the like amount to the satisfaction of the trial Court.

3. There were other conditions also imposed while granting bail. It is brought to the notice of this Court that despite a solvent surety being produced before the Sessions Court, the same has been rejected by only stating that the surety does not know the details of the accused.

4. In the application, specific questions put to the surety and the responses given thereto have been stated.

5. It appears that the Sessions Court has rejected the surety, perhaps due to anxiety that the applicant/accused is an original resident of Uttar Pradesh. There does not appear to be other cogent reason for rejection of the surety.

6. It is pertinent to note that this Court in condition no.(e) in the order dated 22.2.2022 has specifically directed that the applicant shall not leave the State of Goa during the pendency of the trial without the permission of the trial Court. This condition should take care of any anxiety that the Sessions Court may be having with regard to the presence of the applicant during the course of trial .

7. This Court does not see any other reason for rejection of the surety. Hence, present application is allowed. The Sessions Court is directed to accept the surety on behalf of the applicant for satisfying

condition no.(a) of the order dated 22.2.2022.

8. Application stands disposed of
9. Authenticated copy of this order be expedited.

**MANISH PITALE, J.**