

Vinita

**IN THE HIGH COURT OF BOMBAY AT GOA.
CRIMINAL APPLICATION BAIL NO. 20 OF 2022.**

AKASH DIXIT, CURRENTLY IN CUSTODY AT CENTRAL JAIL, COLVALE, GOA, THR. SAGAR S. DIXIT	...Applicant.
VS THE STATE OF GOA, THR. POLICE INSPECTOR, MAPUSA POLICE STATION, MAPUSA	...Respondent.

Mr. R. Menezes Advocate for the applicant.

Mr. S. G. Bhobe, Public Prosecutor for the respondents.

**CORAM: SANDEEP K. SHINDE, J.
DATE: 14th July, 2022.**

P.C.:

1. Heard Mr. R. Menezes, learned Counsel for the applicant and Mr. S. G. Bhobe, learned Public Prosecutor for the respondents.
2. Applicant seeks, his enlargement on bail, in connection with the crime no. 248 of 2021(Sessions Case No. 35/2022) for the offence punishable under Section 307 of the IPC.
3. The facts of the case are that on 30.10.2021 some time prior to 16 hours at Flat No. G-4, B-Block, Ambika Apartments, accused attempted to kill his mother by assaulting her with screw driver

causing serious injuries on the vital parts of her body and attempted to strangle her with both hands.

4. Pending investigation, when the accused was taken for treatment with Institute of Psychiatric Human Behaviour(IPHB) Bambolim, he was reported to be suffering from Psychosis. It appears that the applicant's mother had intervened in bail proceedings before the Sessions Court and stated that the accused is suffering from mental illness. Medical report dated 10.12.2021 by IPHB shows that the applicant is suffering from psychosis and after adequate treatment he has improved. But, he needs to be hospitalised further and can be discharged thereafter. Although these facts were brought to the notice of the learned Sessions Court, the application was not entertained.

5. Be that as it may, in consideration of the facts of the case, prima facie indicating that alleged act was committed while in unsound state of mind, as is evident from the medical report and further the investigation was over, I am inclined to grant this application and hence following order:-

ORDER

- i. The applicant is directed to be released on bail in crime no. 248 of 2021 registered at Mapusa Police Station(in the

Sessions Case no.35 of 2022) pending in the Ad-hoc Sessions Court at Mapusa, on applicant executing a Personal Recognition Bond in sum of Rs.25,000/- with one surety or two sureties in the like amount to the satisfaction of the trial Court.

- ii. The applicant shall not himself or through any other person indulge in any activity that would tamper with the evidence or influence the witnesses.
- iii It is clarified that observations made in the present order are limited to the question of grant of bail to the applicant.

6. All concerned to act on the duly authenticated copy of this order.

SANDEEP K. SHINDE,J.

VINITA VIKAS
NAIK

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