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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 2054 OF 2022

Blessing Edwin Okereke

...Petitioner

Versus

The State of Maharashtra

...Respondent

Mr. Vijay Badgujar Advocate appointed for the petitioner

Mrs. P. P. Shinde, APP for the State

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**

DATE : 31st JULY 2023.

P.C. :

1. This petition is filed through jail seeking permission to communicate with the family members of the petitioner and permission to allow the petitioner to avail of the local call facility to communicate with his Advocate. The petitioner is a Nigerian national. He is an under-trial prisoner currently lodged in judicial custody at Thane Central Prison. An Advocate was appointed for the petitioner through the Maharashtra State Legal Services Authority.

2. By an order dated 21st July 2023, we have already recorded that the petitioner was permitted to call his family members and speak with them for 15 minutes, as per the Circular dated 4th July 2023, issued by the State of Maharashtra.

3. The matter was kept today for hearing the petitioner through video conferencing. Accordingly, we have heard the petitioner through video conferencing. He informed us that he was permitted to talk to his sister through video conferencing. He further submitted that he may be permitted to talk to his wife through video conferencing.

4. Learned APP has placed on record the report dated 20th July 2023 issued by the Jail Superintendent, thereby informing that pursuant to the Government circular dated 4th July 2023, foreign prisoners except Pakistani, Bangladeshi and terrorist prisoners, all foreign prisoners are permitted to talk to their relatives through video call, once in 15 days through NIC e-prisoners facility. She submitted that the petitioner was allowed to talk to his sister on 17th July 2023; hence, after 15 days from the said date, the petitioner will be

permitted to talk to his wife as requested by him through video call after confirmation of her identity as per the Rules.

5. Learned APP thus submitted that the petitioner will be entitled to use the video call facility as permitted by the Government Circular dated 4th July 2023. Hence, no further directions would be required in the present petition.

6. From the documents placed on record by the learned APP, it appears that the petitioner is granted bail by order dated 3rd March 2023. Learned counsel appearing for the petitioner submitted that he was unable to take any further steps as the copy of the speaking order granting bail is not yet made available. He further submitted that the petitioner has already appointed a private lawyer for his case, which is registered under C.R. No. 64 of 2021 with N.C.B. Police Station, Thane. It appears that despite having been enlarged on bail, the petitioner is languishing in jail as he is unable to furnish surety.

7. In view of the aforesaid, the prayers made in the present petition are worked out, and hence no further directions are necessary.

8. List the writ petition for directions on **11th August 2023** to enable the learned Advocate for the petitioner as well as the learned APP to make a statement with respect to further steps taken for release of the petitioner on bail, as per the order dated 3rd March 2023.

GAURI GODSE, J.

REVATI MOHITE DERE, J.