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IN THE HIGH COURT OF BOMBAY AT GOA.
CRIMINAL MISC. APPLICATION NO. 46 of 2024

NAVNATH BABLO GAONKARApplicant.
VS
STATE OF GOA, THROUGH THE
POLICE INSPECTOR, BICHOLIM
POLICE STATION Respondent.

Mr Ryan Menezes, Advocate for the applicant.
Mr P. Faldessai, Advocate for the respondent.

CORAM: **BHARAT P. DESHPANDE, J.**

DATE: **10th June 2024**

P.C. :

1. Heard Mr R. Menezes, learned counsel for the applicant and Mr P. Faldessai, learned Addl. Public Prosecutor for the respondent.
2. This is an application for modification of the order of bail conditions which was allowed on 17.7.2023.
3. Conditions imposed on the applicant reads thus:

“(a) The Applicant shall be released on bail in connection with the Crime No.31/2020 registered at the Bicholim Police Station, on furnishing PR bond of Rs.25,000/- with one or more sureties of the like amount to the satisfaction of the Trial Court.

(b) The applicant shall report to the Bicholim Police Station on the first Monday of every month between 12:00noon and 02:00PM.

(x) Except for attending the Investigating Officer and attending the trial, the applicant shall not enter the State of Goa till the conclusion of the trial.

(d) The applicant shall not, otherwise, enter the State of Goa without the leave of the Court.

(e) The applicant shall attend the trial regularly.

(f) The applicant shall furnish his residential address while residing outside Goa and the contact details to the trial Court as well as the Investigating Officer.

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

4. Mr Menezes, now submit that applicant was earlier working with Vedanta/Sesa Goa Iron Ore Plant at Amona. However due to present proceedings and the conditions imposed on him, he was unable to attend duties. Applicant was under impression that he will get another employment at Dodamarg wherein he is residing at present. However, the applicant is unable to secure employment.

5. Mr Menezes, submits that recently applicant has received a letter from Vedanta/Sesa Goa Iron Ore Plant at Amona dated 19.4.2024 by which said company is ready and willing to allow the applicant to resume his duties inspite of his unauthorised absence. He submits that this aspect has been verified by the Investigating Officer which is clear from Paragraph 10 of their reply.

6. Mr Menezes, would submit that conditions at (x) and (d) could be relaxed. He submits that applicant is having his residence at

Sanquelim and if he is allowed to reside at Sanquelim and attend the job at Amona, the applicant will be able to earn livelihood.

7. Reply filed by the State shows that M/s Vedanta/Sesa Goa Iron Ore Plant at Amona are ready and willing to allow the applicant to resume the duties.

8. Since the offence for which applicant is facing trial took place at Bicholim and other places, allowing the applicant to reside at Sanquelim would be detrimental to the prosecution witnesses.

9. Applicant is presently residing at Dodamarg(Maharashtra). Distance between Dodamarg and Amona could be covered within an hour at the most. Accordingly, the applicant could be allowed to resume his duties at Amona by modifying the condition (x).

10. Accordingly, both these conditions are modified to the extent that applicant shall be permitted to attend his duties at Amona on working days and strictly during the working hours apart from attending the Court proceedings.

11. With these modifications, application stands disposed of.

BHARAT P. DESHPANDE, J.