

shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO.438 OF 2023 (F)

WITH

**CRIMINAL APPLICATION (BAIL) NO.69 OF 2021, CRIMINAL
APPEAL NO.725 OF 2021 (F)**

CRIMINAL MISC. APPLICATION NO.438 OF 2023 (F)

IN

CRIMINAL APPLICATION (BAIL) NO.69 OF 2021

MONDAY FELIX ODEDE, PRESENTLY
LODGED AT COLVALE MODERN JAIL,
COLVALE

... APPLICANT

Versus

STATE AS REP. BY THE OFFICER IN
CHARGE, ANTI NARCOTIC CELL, PANAJI
AND ANR

... RESPONDENTS

WITH

CRIMINAL APPLICATION (BAIL) NO.69 OF 2021

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WITH

CRIMINAL APPEAL NO.725 OF 2021 (F)

MONDAY FELIX ODEDE, PRESENTLY
LODGED AT COLVALE MODERN JAIL,
COLVALE

... APPELLANT

Versus

STATE, AS REP. BY THE OFFICER IN
CHARGE, ANTI NARCOTIC CELL, PANAJI
AND ANR

... RESPONDENTS

None present for the Applicant.

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

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 22nd January, 2024

P.C.

1. Heard Mr. S. G. Bhobe, learned Public Prosecutor for the State.
2. The prayer in the present application is for modification of condition nos. (b), (c) and (d) of the Order on bail dated 05.09.2022.
3. Mr. S. G. Bhobe, learned Public Prosecutor points out that said order was passed by Single Judge of this Court (G. S. Kulkarni, J.) in Criminal Application (Bail) No. 69 of 2021(F). These conditions were imposed as per Order passed by (Manish J. Pitale, J.) in Criminal Miscellaneous Application (Bail) No. 31, 349 and 478 of 2021. He submits that as per the Order passed by this Court in Ajay Bhinge V/s State of Maharashtra reported (2023) SCC online Bombay 1551, the matter is required to be placed before the same Judge.
4. Recently, in the case of Pradhani Jani Vs. State of Odisha in Criminal Appeal No. 1503/2023 decided on 15.05.2023, even the Apex Court has issued directions that matter with regard to modification of the conditions or even in connection with the same Crime numbers shall be placed before the same Judge for the purpose of further consideration.
5. The Registry is therefore directed to take appropriate steps for the purpose of placing above matters before the same Judge as early as

possible since matters are pending since June, 2021 and Accused is in custody since the year 2014 though bail is granted but due to non-compliance of certain conditions.

6. Registry to take immediate steps and place the matter before the appropriate Bench by giving intimation to the Applicant.

BHARAT P. DESHPANDE, J.