



IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION (BAIL) NO.59 OF 2025
AND
CRIMINAL MISC. APPLICATION (BAIL) NO.60 OF 2025

CRIMINAL MISC. APPLICATION (BAIL) NO.59 OF 2025

Mr. Samuel alias Samuel Premkumar Pujari,
Son of Mr. Premkumar Pujari,
25 years of age, Indian National,
R/o 74/B-A, Dattawadi, Mapusa,
Bardez, North Goa, 403507.
(Presently lodged in Judicial Custody
At Central Jail, Colvale Goa.)
Through his mother,
Smt. Kasturi Premkumar Pujari,
Wife of late Premkumar Pujari,
49 years of age, Indian National,
R/o 74/B-A, Dattawadi, Mapusa,
Bardez, North Goa, 403507

.....APPLICANT

VERSUS

1. The Police Inspector,
Colvale Police Station,
Colvale Goa.

2. State of Goa
Through Public Prosecutor
High Court of Bombay
at Porvorim, Goa

.....RESPONDENTS

AND

CRIMINAL MISC. APPLICATION (BAIL) NO.60 OF 2025

Mr. Gautam alias Gautam Rajendra Talwar,
Son of Mr. Rajendra Talwar,
24 years of age, Indian National,
R/o H. No. 9/74/F4, Pedro Apts,
Ansabhat, Mapusa,
Bardez, North Goa, 403507.
(Presently lodged in Judicial Custody
At Central Jail, Colvale Goa.)

Through his mother,
Mrs. Surekha Rajendra Talwar,
Wife of Mr. Rajendra Talwar,
46 years of age, Indian National,
R/o 9/74/F4, Pedro Apts, Ansabhat,
Mapusa, Bardez, North Goa, 403507

.....APPLICANT

VERSUS

1. The Police Inspector,
Colvalle Police Station,
Colvale Goa.

2. State of Goa
Through Public Prosecutor
High Court of Bombay
at Porvorim, Goa

.....RESPONDENTS

Mr. Coburn Franco with Mr. Prasad Sutar and Mr. Mark Valadares
Advocates for the Applicants.

Mr. Pravin Faldessai, Additional Public Prosecutor for the
Respondents.

CORAM:- VALMIKI MENEZES, J.

DATED :- 20th August, 2025

P.C.:

1. Registry to waive office objections and register the matters. These bail applications were filed by the Accused Nos. 1 and 2 in Crime No.42 of 2025 registered at Colvale Police Station on 16.06.2025. The Applicants are accused of committing offences under Sections 20(b)(ii)(B) r/w. Section 29 of NDPS Act.

2. The case of the prosecution is that the Accused Nos.1 and 2, on 14.06.2025 are alleged to have thrown packets containing ganja, totalling a weight 1.397kgs, from the road adjoining the Colvale Central Jail, across the jail wall and into the precincts of the jail. The prosecution alleges that the Accused Nos.1 and 2 are part of a larger racket of drug suppliers, by which drugs are regularly supplied into the Colvale Central Jail premises and sold to inmates. In this case Accused No.5 is an under trial, accused in a case registered against him under Section 302 of the IPC. Further allegation is that the Accused No. 4 who is a minor, was part of this group and also participated along with Accused Nos. 1 and 2 in the alleged crime. The Accused Nos.1 and 2 were arrested on 25.06.2025 pursuant to attachment of CCTV footage from a shop close to the jail walls, where the Accused Nos.1 and 2 have been seen and identified. The

prosecution's case further states that mobile phone and SIM card were attached into the jail premises at the behest of Respondent No.5 which on the examination revealed that there were several phone conversations between the Accused No.5 and the Applicants herein prior to the incident. The CDR records of the phones of the Applicants also revealed their presence in the area proximate to the time of commission of the offence on 14.06.2025.

3. The Applicants were arrested on 25.06.2025 and have been in judicial custody for the last 50 days, prior to which they were in police custody between 25.06.2025 and 02.07.2025. The investigation, according to the prosecution, is still underway to unearth a larger conspiracy between the accused persons, which may lead to exposure of certain jail staff involved in the racket of supplying drugs to the jail inmates. The fact however remains that the quantity involved in the offence, which was obviously not found directly in possession of the Applicants is 1.397kgs of ganja which is a variable quantity. The provisions of Section 37 do not apply to the facts of this case.

4. The Applicants are otherwise residents of Mapusa. They are first time offenders and the reply of the Investigating Officer does not reveal any criminal antecedents. Considering that the investigation may take some time, and the Applicants are in judicial custody since

02.07.2025, no purpose would be served in their continued incarceration. Taking all these facts in consideration, I find that this is a fit case to grant the Applicants bail on following conditions:

Corrections
carried out as
per order dated
22.08.2025

Sd/-

- a. The Applicants shall be released on bail in Crime No.42 of ²⁰²⁵~~2024~~ registered at Colvale Police Station on their executing a P.R. of Rs.25,000/- (Rupees Twenty Five Thousand only) with one local surety each, in the like amount, to be executed before Sessions Court, Mercas.
- b. The Accused/Applicants shall furnish to the Investigating Officer a copy of their respective Aadhaar cards, full residential addresses, email IDs and their mobile phone numbers, which shall be kept functional and on at all times to enable the Investigating Officer to contact them; in addition the Applicants shall report to the Colvale Police Station twice in a month on a Monday and Thursday between 10.00am to 1.00p.m commencing from 25.08.2025 till further orders.
- c. The Applicants shall not interfere with any of the witnesses or attempt to contact them by themselves or

through any of their agents or tamper with the evidence.

- d. The Applicants shall continue to reside at the respective addresses furnished by them, and shall not change their place of residence without informing the Court of the same. The Applicants shall not travel outside the State of Goa without permission of the Sessions Court, Mercês. In addition, the Applicants shall deposit their valid Passport, if any, in their possession with the Sessions Court, Mercês.
- e. The Accused/Applicants shall present themselves before the Colvale Police Station as and when the Investigating Officer directs them, by giving them written notice of 24 hours to report before him.
- g. The application stands disposed of in the above terms.
- h. All concerned to act on an authenticated copy of this order.

VALMIKI MENEZES, J.