

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 72 OF 2025

Johny Fransis Dsouza	.. Applicant
Versus	
State of Maharashtra	.. Respondent

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- Ms. Ashwini Achari, appointed Advocate for Applicant.
 - Ms. Megha S. Bajoria, APP for State.
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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 28, 2025

P. C.:

1. Heard Ms. Achari, learned Advocate for Applicant and Ms. Bajoria, learned APP for State.

2. Present Application is received through Jail by a handwritten letter addressed by the Applicant to the Court. Applicant states that he was sent to judicial custody on 25.08.2021 and the Sessions Court had granted him bail on 30.12.2021 in C.R. No.52/2021 and the case registered in the Sessions Court is 101366/2022. He further states that the Sessions court reduced the surety amount from Rs.50,000/- to Rs.20,000/- after 3 years in July, 2024. But despite the order dated 24.07.2024 passed by the learned Sessions Court he is unable to arrange an amount of Rs.20,000/- for securing his release on bail. He states that he has no one to look for and has persuaded the Court to relax the bail condition regarding

payment of amount as surety. Today, before me I only have the handwritten letter by the Applicant. Besides this there is no any other document on record for consideration of the Application. However, I have to assess the veracity of the Application and its contents so that any order passed by this Court is in consonance with the case at hand.

3. This is case where Applicant, despite having been granted bail by the as far as back on 30th December, 2021, he is still languishing in jail because he is unable to arrange the surety amount. Initially he sought reduction of the amount which was granted by the Sessions Court, but even that was not affordable and he could not pay the same. Hence it is a very sorry state of affairs. Be that as it may, every effort shall be made by the learned appointed Advocate, learned APP and this Court to ensure that this Application is disposed of as expeditiously as possible.

4. In that view of the matter, Ms. Ashwini Achari learned Advocate and Counsel practicing in this Court is appointed by Court to represent and espouse the cause of the Applicant through the Legal Aid. The Legal Aid department is directed to give her appointment letter to that effect.

5. Registry is directed to provide copy of the present Application to the appointed Advocate Ms. Achari within a period of one week from today.

6. The appointed Advocate on behalf of Applicant is directed to peruse the papers and be ready to address the Court on the next adjourned date.

7. Learned APP is directed by the Court to ascertain the correctness of the submissions made in the Application so that it will be easier for the Court to consider the request made by Applicant. If possible the learned APP shall consult the concerned Investigating Officer and obtain the details of the orders passed by the trial and Sessions Court granting bail to the Applicant and share the same with the appointed Advocate.

8. Stand over to **2nd April, 2025 (F.O.B)**. To be listed on the **Supplementary Board**.