

IN THE HIGH COURT OF BOMBAY AT GOA**STAMP NUMBER (MAIN) NO.1018 OF 2020**

Akash Jaiswal ... Applicant

Versus

State of Goa & Anr. ... Respondents

Shri Vibhav Amonkar, Advocate for the Applicant.

Shri P. Faldessai, Additional Public Prosecutor for the Respondents.

Coram:- DAMA SESHADRI NAIDU, J.

Date:- 22nd May 2020

ORAL ORDER :

The applicant is the second accused in Crime No.229/2019 on the file of Calangute Police Station. He faces the allegations that attract Sections 370, 370(3) r/w 34 of IPC, and Sections 4, 5 & 7 of Immoral Traffic Prevention Act 1986. Arrested on 13.12.2019, the applicant has been in judicial custody for over six months.

2. Though the applicant's earlier application for bail was dismissed by the Court of Additional Sessions Judge, Mapusa, through order dated 25.02.2020, there took place many developments thereafter. Importantly, the police filed the charge sheet and even the first accused was enlarged on bail.

3. Though the learned Additional Public Prosecutor has opposed this application, I gather from the record that the second respondent earlier, in its reply before the Additional Sessions Court, has put on record

that the applicant has “nothing adversely reported against” him. With no criminal antecedents, the applicant has provided proofs of his permanent residence in Goa.

4. The learned counsel for the applicant informs the Court that the applicant is a permanent resident of State of Karnataka. Nevertheless, he has provided residential proof about his living in Goa.

5. Under these circumstances, I allow this application and enlarge the applicant on bail subject to the following conditions:

(i) The applicant shall furnish personal bond and surety for ₹25,000/- and one surety for the like sum. Both should provide the proof of their local address with identity.

(ii) The applicant shall appear before the Court as and when required by the Court and shall not leave the State of Goa without obtaining prior written permission of the Court.

(iii) The applicant shall not interfere with the victim or the witnesses till their evidence is recorded.

(iv) The applicant shall furnish his detailed address of his stay in Goa with proof.

(v) The bail shall stand cancelled if the applicant violates any of the conditions.

DAMA SESHADRI NAIDU, J.

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