

IN THE HIGH COURT OF BOMBAY AT GOA

LD-VC-BA-127-2020

Pravin Pandit Chivar, Presently in
Colvale Jail, Thr. Next Friend ...Applicant.

Versus

State and anr. ... Respondents

Shri J. Karn, Advocate for the applicant.
Shri P. Faldessai, Addl. Public Prosecutor for the respondents.

Coram: - DAMA SESHADRI NAIDU, J.

Date: - 22 December 2020

P.C.

The applicant is an accused in Crime No.139/2018, registered by Anjuna Police Station. It was for the offences under Section 20(b)(ii)(B) of the NDPS Act. On 29.9.2020, the trial Court granted bail with conditions. Later, the applicant wanted two of those conditions modified. He has pleaded that the first condition concerns the bail bond. The applicant is to provide the bail bond for Rs.75,000/- with one local surety. As the petitioner is a poor labourer, he can not comply with that condition. The second condition concerns address verification. The applicant contends that he hails from a very remote village in Bihar. It is exceedingly difficult for the police to verify the address. He is, instead, willing to have his local

address verified. When the Trial Court refused to modify the conditions, he has filed this application before this Court.

2. Heard Shri J. Karn, the learned counsel for the applicant, and Shri P. Faldessai, the learned Additional Public Prosecutor, for the respondents.

3. According to the applicant's counsel, the condition of the bail bond involves a huge amount. I agree. Shri P. Faldessai, the learned Additional Public Prosecutor, too, has not joined the issue on this count. But about the second condition, Shri P. Faldessai submits that the applicant has already wasted over two months without providing his address. If he provides his native address, the police will verify expeditiously and place it before the trial Court as required.

4. I reckon there is a force in the contentions advanced by the learned Additional Public Prosecutor.

5. First, the bail condition requiring the applicant to produce a bail bond for Rs.75000/- with one local surety is onerous. I, therefore, scale it down to ₹25000/-. The rest of the conditions remains intact.

6. As to the address verification, once the applicant provides his native address in Bihar to the police, they will verify that expeditiously and submit a report to the trial Court. The learned Additional Public Prosecutor has agreed to use his good offices to ensure that this process completes in two weeks once the applicant provides his address.

Under these circumstances, I disposed of this application modifying the condition no. 1 and requiring the police to expedite the address verification as mentioned above.

DAMA SESHADRI NAIDU, J.

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