

**IN THE HIGH COURT OF BOMBAY AT GOA**

CRIMINAL MISC. APPLICATION NO. 288 OF 2003

SHRI RAJESH KUMAR VARMA

....Applicants

Versus

THE STATE OF GOA

....Respondents

MR.M.P.AMONKAR,

Coram:- A.M.KHANWILKAR, J.

Date:- 30th December, 2003

P.C.:

To my mind not a case for granting bail and suspension of sentence, especially when I have already expedited the hearing of the appeal by separate Order passed in Criminal Appeal No.74/2003. Learned Counsel for the Applicant however contends that the Applicant was released on bail by this Court during the trial and this is a good ground for granting bail to the Applicant, especially when he has not jumped any of the conditions on which bail was granted. Moreover, he has already suffered imprisonment for 7 months. However, this submission overlooks the fact that prima facie opinion recorded by this Court while granting bail, those aspects have been considered by the Trial Court at length on the basis of the evidence adduced during the trial

and yet recorded finding the guilt  
against the Applicant in respect of the  
alleged offence under Sections 376 and  
506(2) of I.P.C.

Hence not a case for interference at  
this stage. Dismissed.

A.M.KHANWILKAR, J.