

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

CRIMINAL MISCELLANEOUS APPLICATION NO. 127 OF 2004

Office Note, Office Memoranda
of Quorum, appearances, Court's
orders or directions and
Registrar's orders.

Court's or Judge's Orders

Mr. G. Kanekar, Advocate for the
Applicant.

Mr. S. N. Sardesai, Public
Prosecutor for the State.

CORAM : P. V. HARDAS, J.

DATE : 26TH MAY, 2004.

P.C.:

This is an application under
Section 439 of the Code of Criminal
Procedure at the behest of the
Applicant who is one of the Accused
facing trial punishable under
Sections 302, 342, 364, 120-B r/w 34
of the Indian Penal Code. The
charge-sheet in the present case has
been filed.

Bail is sought principally on
the ground that the Applicant, who
was in the family way when she was

arrested has thereafter, on 17th May, 2004, delivered a child in the Goa Medical College. The Applicant has also annexed a certificate issued by Dr. Mrs. Pia Muriel Cardozo, Lecturer in the Department of Obstetric and Gynaec, dated 21st May, 2004 to that effect.

In the peculiar facts of the case, since the Applicant has delivered a child nearly about 15 days back, I am inclined to grant bail to the Applicant on this count.

Accordingly application is allowed. The Applicant is directed to be released on bail on executing a PR Bond in the sum of Rs.20,000/- with one surety in the like amount on the condition that the Applicant shall not leave the State of Goa without prior permission of the learned Judge assigned with deciding the sessions trial. The Applicant shall also not directly or indirectly influence the witnesses or tamper with the prosecution case. Bail to be furnished before the

learned Trial Court.

P. V. HARDAS, J.

RD.