

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 89 OF 2009

SHRI RAMESH CHANDRA, PRESENTLY
SERVING SENTENCE IN CENTRAL JAIL
AGUADA

... Petitioner

Versus

STATE OF GOA AND 2 ORS.

... Respondent

Mrs. Asha Dessai, Advocate for the petitioner.

Mr. C. A. Ferreira, Public Prosecutor for the respondents.

Coram:- U. D. SALVI, J.

Date:- 30th November, 2009

P.C.

Heard. Perused petition and the annexures therewith.

2. The petitioner/convicted prisoner convicted of the offence punishable under section 20b(2) (c) of the N.D.P.S. Act and sentenced to undergo R.I. for a term of 10 years and payment of fine of Rs.1 lakh in default to suffer S.I. for further period of 3 months has moved this petition for reduction of surety bond from Rs.2 lakh to Rs.25,000/- for his release on parole. The petitioner has already undergone sentenced of 3 years and 11 months and he had availed of parole previously on giving bond of Rs.2 lakh without misusing the liberties availed as a result thereof. However, now it is contended that amount of bond required to be furnished for availing the parole is beyond the means of the petitioner and therefore wants reduction in the surety amount.

3. A loot at the petition reveals that the facts necessary to conclude anything regarding the means of the petitioner are not in the petition.

It appears that these facts were also not placed before concerned authority. Under these circumstances the petitioner may place the relevant material facts speaking about his means to furnish solvent surety to the tune of Rs.2lakhs before the respondent no.2 Inspector General of Prison and the appropriate decision in accordance with the law is taken in that regard. Permission is therefore granted to the petitioner to place the relevant material before the respondent no.2 Inspector of Prison North, Goa Panaji and urge for reduction of the surety amount within 4 weeks from the date of the filing of the application alongwith all relevant material in support of such application.

5. The petition stands disposed off with no Order as to costs.

U. D. SALVI, J.