

GASG010007292023



**IN THE COURT OF THE SESSIONS JUDGE,
SOUTH GOA, MARGAO.**

(Before: Ms. Sharmila Patil, Sessions Judge, South Goa,
Margao.)

Sessions Case No. 5/2023

State
Colva Police Station. ... Complainant

v/s

Simanchal Parida and Ors. ... Accused.

ORDER BELOW EXHIBIT 69

(Delivered on this the 20th day of the month of July of the
year 2026)

1. This is an application for modification of bail Order dated 22.06.2026 filed by accused no.2.

Case of accused no.2:-

2. That accused no.2 was granted bail on 22.6.2026. That condition was imposed upon the accused to furnish personal bond of Rs. 50,000/- with two sureties in the amount of Rs. 25,000/-. That the accused is unemployed and therefore an indigent person and is unable to furnish surety amount of Rs. 50,000/- as per bail condition (a). Therefore the accused has prayed that the surety amount be reduced to Rs.25,000/- with only one surety in the light of the Order in the Criminal Writ petition 4/2021 of Hon'ble Supreme Court.

Reply of P.P. :-

3. That no documents are placed on record to establish two financial status of accused. That application is not supported by any affidavit. That as per the Order the accused is directed to furnish bond of Rs.50,000/- and two surety of

Rs. 50,000/- each. It is clear that it is for the surety to arrange the surety amount and not accused. Hence it is prayed that the application be dismissed.

4. Heard arguments.

SUBMISSIONS

Arguments of Ld. Chief LADC for accused no.2:-

5. High Court has reduced the amount while granting bail to other accused to the amount of Rs.25,000/-and since accused no.2 cannot afford the surety amount, the Order may be modified to one surety of Rs.25,000/-.

Arguments of Ld. PP. :-

6. That necessary Order be passed considering that the offence is grievous and the presence of the accused is required before this Court.

7. I have gone through the records of the proceedings, the bail Order dated 22.06.2026 and have duly considered the arguments advanced on record.

8. In **Re Policy strategy for grant of bail (SMWB) (Criminal) No.4/2021** the Hon'ble Apex

Court while considering the relaxation of the surety amount have laid down certain directions for the Court to suo motu relax the surety amount. Since the accused has made a statement that he cannot afford the surety amount granted by this Court at the time of granting the bail, the amount is reduced to Rs.25,000/- with one surety and hence the Order stands modified to that extent. Other conditions of the bail Order dated 22.06.2026 remains the same.

9. In the above terms, the application is allowed.

Pronounced in the open Court.

(Sharmila A. Patil)
Sessions Judge,
South Goa, Margao.

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