

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Writ Petition No.450 of 2015

Parvaz Gulam Rasool Ansari. .. **Petitioner.**

Versus

The State of Maharashtra. .. **Respondent.**

Shri. S.D. Tare, Advocate, appointed for petitioner.

Shri. K.M. Suryawanshi, Additional Public Prosecutor, for
respondent.

**CORAM: T.V. NALAWADE
INDIRA K. JAIN, JJ.**

DATE : 8th MAY 2015

ORDER:

1) Application filed for grant of furlough to the petitioner is pending as the petitioner is not getting any person to stand as surety to him. It appears that furlough is rejected on the ground that there is no surety.

2) The petitioner is convicted and sentenced for offence punishable under section 302 Indian Penal Code and since 15-7-2004 he is behind the bars. He is now kept in Paithan Open Prison. This circumstance is

certainly in his favour. As he is behind the bars for more than 11 years, he must have earned wages and in the wage register there must be sufficient amount in the jail. This amount can be considered as cash security by the authority.

3) In view of the aforesaid circumstances this Court holds that the matter needs to be reconsidered by the authority. The order made by the authority dated 3-2-2015 is hereby quashed and set side and the matter is remanded back for fresh consideration. The petition is allowed in aforesaid terms. Fees of the learned counsel appointed is quantified at Rs.1500/- (Rs. Fifteen Hundred).

Sd/-
(INDIRA K. JAIN, J.)

Sd/-
(T.V. NALAWADE, J.)

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