

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders

CRIMINAL WRIT PETITION NO. 854 OF 2015

BHAVWAN MALHARI BORADE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Petitioner (Through Jail): Mr. Bhagat N.T.
(Appointed)
APP for Respondents/State: Mr. B.L. Dhas.

...
CORAM : S.S. SHINDE & A.I.S. CHEEMA, JJ.
Dated: AUGUST 01, 2015

...
Heard learned Counsel for the petitioner.
Perused the contents of the petition, averments in
the affidavit-in-reply filed by the Superintendent of
Nashik Road Central Prison, Nashik and also the
documents placed on record along with the petition
and reply.

2 It appears that, the petitioner applied for
furlough. He cited one Sahdeo Maruti Gaikwad as
a surety in case of his release on furlough.
However, said person refused to stand as surety for
the petitioner and consequently, the prayer of the

petitioner for furlough has been rejected. Hence, this petition.

3 It is submission of the learned Counsel for the petitioner that Smt. Kaushalya Bhagwan Borade, resident of Tuljapur Shukrawar Peth, Matang Nagar, Dakkalwar, Tq. Tuljapur, Dist. Osmanabad is ready to stand as surety for the petitioner.

4 Since the earlier application has been already rejected, we grant liberty to the petitioner to apply afresh after a period of six months from the date of rejection of his previous application, as contemplated under Rule 9 of the Prisons (Bombay Furlough and Parole) Rules, 1959. In case, such an application is filed by the petitioner, the respondent – authority to consider the same taking in view the fact that Smt. Kaushalya Bhagwan Borade is ready to stand as surety and decide the application, as expeditiously as possible in the light of the Prisons (Bombay Furlough and Parole) Rules, 1959.

Petition stands disposed of, accordingly.

(A.I.S. CHEEMA, J)

(S.S. SHINDE, J)