

IN THE HIGH COURT OF BOMBAY AT GOA.
CRIMINAL WRIT PETITION NO.103 OF 2015.

Ashok Rathod (Prisoner No. 158/14) major of age, currently lodged at the Central Jail at Colvale, Goa. Petitioner.

Versus

1. State of Goa, through the Chief Secretary of Home Dept. Alto, Porvorim, Bardez-Goa.
2. The Inspector General of Prisons, Collectorate, North Goa, Panaji Goa.
3. The Superintendent of Prisons, Central Jail Aguada. Respondents.

Mr. A. Gaonkar, Advocate under Legal Aid Scheme for the petitioner.

Mr. Mahesh Amonkar, Additional Public Prosecutor for the respondents.

Coram:-F. M. REIS,
K. L. WADANE, JJ.

Date:-24th August, 2015.

ORAL JUDGMENT (Per K. L. Wadane, J.

Heard Mr. A. Gaonkar, learned Advocate under Legal Aid Scheme for the petitioner and Mr. Mahesh Amonkar, learned Additional Public Prosecutor for the respondents.

2. Rule.

3. Heard forthwith with the consent of the learned counsel appearing for the respective parties. Mr. Amonkar, learned Additional Public Prosecutor waives notice on behalf of the respondents.

4. This is petition filed by the petitioner challenging the condition imposed by the respondent no.2 while granting his application for furlough.

5. The respondent no. 2 granted the application of the petitioner by imposing certain conditions and one of the condition was that the petitioner should execute a personal bond in form II for Rs.1,00,000/-(Rupees one lakh only) and produce one surety in the like amount giving cash or otherwise.

6. The petitioner is currently undergoing 10 years of imprisonment under Section 8 of the Goa Children's Act. According to the learned counsel appearing for the petitioner, due to inability to furnish security of Rs.1,00,000/-(Rupees One Lakh only), the petitioner is unable to avail the facility of furlough and therefore, he prayed to reduce such amount to the extent of Rs.10,000/-

7. Mr. Amonkar, learned Additional Public Prosecution has no objection, hence the petitioner shall execute a personal bond in form II for Rs.10,000/-(Rupees ten thousand only) and produce one surety in the like amount giving cash or otherwise. Rest of the conditions imposed by the respondent no. 2 are maintained.

8. Rule is made absolute in the above terms.

9. Petition stands disposed of.

K. L. WADANE,J.

F. M. REIS,J.

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