

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.179 OF 2015

Ravi Kumar Patil
Convict prisoner no.571/02
Presently undergoing punishment
in Modern Central Jail
Colvale, Goa .. Petitioner

Versus

1. Inspector General of Prisons,
Government of Goa,
Office of Inspector General of
Prisons,
Collectorate, North Goa
Panaji Goa.
3. PP High Court .. Respondents

Mr. T George John, Advocate for the petitioner.

Mr. D. Lawande, Additional Public Prosecutor for the respondents.

CORAM :- F. M. REIS, &
C. V. BHADANG, JJ.

DATE : 22nd December, 2015

ORAL JUDGMENT : (Per C. V. Bhadang J.)

Rule. Rule made returnable forthwith. The learned Additional Public Prosecutor waives service for the respondents. Heard finally by consent of the parties.

2. The challenge in this petition is to the part of the order dated 26/11/2015, passed by the respondent no.1 under the Goa

Prison Rules, 2006, whereby while granting an application for release of the petitioner on furlough, the petitioner has been directed to furnish a personal bond in the sum of Rs.1,00,000/-, with one surety in the like amount. The petitioner is aggrieved by the amount of bond fixed.

3. It is submitted that the petitioner, who is undergoing sentence in the prison, has no means to furnish the bond of such an exorbitant amount, which has the effect of denial of furlough. It is submitted that the petitioner will reside in St. Xavier Academy Centre for the Handicapped, Kadamba Road, Old Goa and will not go beyond the limits of said District without prior permission of the Director General of Police or such officer as he may appoint on his behalf.

4. The learned Additional Public Prosecutor submitted that having regard to the facts and circumstances of the case, appropriate orders be passed.

5. Having heard the learned Counsel for the parties and having perused the impugned order, the following order is passed :

ORDER

- (i) The impugned order is modified to the extent that the petitioner shall be released on furlough on

executing a personal bond in the sum of Rs.10,000/-,
with one surety in the like amount, being cash or
otherwise.

(ii) Rest of the conditions of the order would stand
as they are.

(iii) Rule is made absolute in the aforesaid terms.

SMA

C. V. BHADANG, J.

F. M. REIS, J.