

Ladda

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION***CRIMINAL APPLICATION No. 180 of 2015**IN**CRIMINAL APPEAL No.755 OF 2013**Mirza Himayat Baig @ Ahmed Baig**Inayat Mirza @ Hasan**.. Applicant.**Versus**The State of Maharashtra**.. Respondent.*

Mr Mehmood Pracha a/with Mr I.A.Khan for the
Applicant/Appellant.

Mr Raja Thakare Spl. Public Prosecutor for the State.

Mr Arshad Shaikh i/by Anubha Rastogi for Interveners in
Application No. 1579 of 2013 and 1578 of 2013.

Mr Chetan Mali i/by Vijay Hiremath for the Intervener.

CORAM : V.M.KANADE & A.R. JOSHI, JJ.

DATE : 23rd March, 2015.

P.C.

1) The applicant has filed this application seeking his transfer from Yerwada Central Prison, Pune to any other prison where proper security arrangement has been made. It is the case of the applicant that one other under trial prisoner, similarly arrested in the alleged commission of offence for bomb blast at Pune, popularly known as German Bakery Blast, was murdered in the prison. The applicant apprehends that he may also

be murdered in Yerwada Central Prison.

2) An affidavit in reply has been filed by the Superintendent of Yerwada Prison. It is stated in paragraph 7 that all the convicts, sentenced to death penalty in Maharashtra, are lodged either in Yerwada Central Prison at Pune or in Nagpur Central Prison. In our view, since the applicant has expressed his apprehension about his murder in Yerwada Central Prison, we direct the respondents to transfer the applicant to Nagpur Central Prison. The application is disposed of in aforesaid terms. The Superintendent of Central Jail, Nagpur to ensure that proper security arrangements have been made for the applicant / prisoner so that the applicant should not face any threat of assault inside the jail. The application is disposed of in aforesaid terms.

(A.R. JOSHI, J)

(V.M.KANADE,J)