

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

CRIMINAL WRIT PETITION NO. 529 OF 2016

Ramu Appa Mahapatre (C-182)

..PETITIONER

VERSUS

State of Maharashtra

..RESPONDENT

....

Smt. Vidya S. Narale, Advocate appointed for petitioner.

Mr. D.R. Kale, A.P.P. for respondent.

....

**CORAM : A.V. NIRGUDE AND
A.I.S. CHEEMA, JJ.**

DATED : 13th JUNE, 2016

ORDER :

1. Heard.

2. Perused petition. Perused earlier order passed by this Court in Criminal Writ Petition No. 1049 of 2015. This Court has specifically ordered petitioner's release on furlough on execution of personal bond. This Court also directed the authorities to put other usual conditions.

3. The Deputy Inspector General of Prisons, Western Region, Pune-06 passed the impugned order dated 22.09.2015 in which she specifically directed that the prisoner shall execute a 'Cash Surety Bond'

for Rs.25,000/- only with other usual conditions. Because of specific order directing the petitioner 'to execute a Cash Surety Bond', an impression is created that the petitioner was under obligation to deposit a sum of Rs.25,000/- as surety.

4. This was not intended by our above referred order in Writ Petition No. 1049 of 2015. The words utilized in the impugned order by the Deputy Inspector General of Prisons are erroneous. The order should have stated that the prisoner shall execute the personal bond of Rs.25,000/-.

5. In view of this, the petitioner's furlough leave is granted on his executing personal bond of Rs.25,000/-. Other usual conditions which are not contrary to the order passed by this Court may be added by the Deputy Inspector General of Prisons.

6. The learned Counsel, who is appointed for the petitioner, shall be paid fees according to the rules through Legal Aid.

(A.I.S. CHEEMA, J.)

(A.V. NIRGUDE, J.)

SSD