

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

CRIMINAL WRIT PETITION NO. 576 OF 2016

Prakash Bhaurao Jadhav (Convict No. C-8381) ..PETITIONER

VERSUS

State of Maharashtra and Another ..RESPONDENTS

....

Mr. Gajendra D. Jain, Advocate appointed for petitioner.

Mr. A.R. Bonikar, A.P.P. for respondentS.

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

DATED : 13th JUNE, 2016

ORDER :

1. Heard.

2. Perused petition, affidavit-in-reply and amendments made in 2015 in The Prisons (Bombay Furlough and Parole) Rules, 1959. Petitioner is a prisoner undergoing sentence for offence punishable under Section 376 of the Indian Penal Code. He sought furlough leave and made an application in 2016. In view of the amendments made in the Rules in 2015, prisoner who is convicted for offence punishable under Section 376 is not entitled to furlough leave. In view of this, application seeking furlough leave is rejected by the authorities.

3. We find no error in the impugned order. Hence petition is dismissed.

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

SSD (A.I.S. CHEEMA, J.) (A.V. NIRGUDE, J.)