

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

Criminal Writ Petition No. 622 of 2016

District : Jalgaon

Prakash s/o. Ramsingh Daude,
Age : Major,
Occupation : Prisoner Convict
No. 7231,
R/o. at Nachkheda,
Post : Lavthar, Taluka : Pachora,
District : Jalgaon,
at present in
Central Prison at Aurangabad. .. Petitioner.

versus

1. The State of Maharashtra.
2. The Deputy Inspector /
Inspector General of Prison,
Central Prison at Aurangabad.
3. The Tahasildar,
Taluka : Pachora,
District : Jalgaon.
4. The Superintendent of
Central Prison,
Aurangabad. .. Respondents.

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*Mrs. B.B. Gunjal, Amicus Curiae appointed, for the
petitioner.*

*Mr. A.G. Magare, Addl. Public Prosecutor, for
respondent nos.1 to 4.*

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CORAM : SANGITRAO S. PATIL, J.

DATE : 30TH MAY 2016
(Summer Vacation)

PER COURT :

Heard the learned Amicus Curiae appointed for the petitioner and the learned Addl. Public Prosecutor for the respondents.

2. As per the order dated 25th January 2016, respondent no.2 has granted furlough of four weeks to the petitioner on certain conditions. One of the conditions was that he should furnish surety before respondent no.3 - Tahsildar. The surety furnished by the petitioner was not accepted by respondent no.3 on the ground that the 7/12 extract produced by the surety of the petitioner was in respect of property which was situated beyond local limits of jurisdiction of respondent no.3.

3. The learned Amicus Curiae submits that the petitioner is ready to furnish fresh surety before respondent no.3.

4. Accordingly, the petitioner is granted liberty to furnish fresh surety before respondent no.3. The petitioner shall furnish surety before respondent no.3 within two weeks from today. After

receiving the papers produced by the surety, respondent no.3 shall verify the said papers and if he is satisfied that the said surety can be accepted for releasing the petitioner on furlough, he shall pass necessary orders within a week, for implementing the order dated 25th January 2016, passed by respondent no.2.

5. With the above directions, the Petition is disposed of.

6. The amicus curiae appointed by the Court, for representing the cause of the petitioner, shall get fees of Rs. 3,000/- [Rupees three thousand].

7. Parties shall act upon an authenticated copy of this order.

(SANGITRAO S. PATIL)
JUDGE

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