

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 146 OF 2016

SHRI. MOHMAD IMDAR ALI, PRESENTLY
AT CENTRAL JAIL COLVALE.,

... Petitioner

Versus

STATE OF GOA, THR. THE
SUPERINTENDENT OF COLVALE AND
ANR.,

... Respondents

Mr. T. George John, Advocate for the petitioner.

Mr. P. Faldessai, Additional Public Prosecutor for the respondents.

Coram:- SMT. R. P. SONDURBALDOTA &
C. V. BHADANG, JJ.

Date:- 24th November, 2016

P.C.

This is yet another petition, arising out of an order passed by the Inspectorate General of Prisons, setting up stiff conditions for releasing the prisoner on furlough. By the order dated 23/09/2015, the Inspectorate General of Prisons has imposed condition of execution of Personal Bond in Form II for Rs.1 Lakh and produce surety in the like amount, giving cash or otherwise, for releasing the petitioner on furlough for a period of 21 days.

2. Mr. John, the learned Counsel for the petitioner submits that the condition imposed, has made it impossible for the petitioner to get released on furlough, which is a right vested on him. He also points out that similar orders passed by the Inspectorate General of Prisons,

have earlier been modified by reducing the amount of Personal Bond. However, no note of those orders has admittedly been taken by the Authority.

3. The impugned order, directing the petitioner to execute Personal Bond in the sum of Rs.1 Lakh, cannot be justified. The same is modified by reducing the amount of Personal Bond to Rs.10,000/-. Rest of the conditions in the order are maintained. It is hoped that the concerned Authority would take note of the consistent orders issued by this Court as regards the quantum of Personal Bond to be executed by a prisoner. The petition is, accordingly, disposed off.

4. Parties to act on the authenticated copy of this order.

C. V. BHADANG, J.
SMA

SMT. R. P. SONDURBALDOTA, J.