

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL WRIT PETITION NO.51 OF 2016

Kamlakar Gajbhare

..vs..

The DIG Prison (E) (R), District Nagpur and anr

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Ms Radha Mishra, counsel for the petitioner (appointed).

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.**

DATED : FEBRUARY 29, 2016.

Heard learned counsel for the petitioner
appointed through the legal aid committee and also
learned Addl.P.P. for the State.

The writ petition is opposed by the
authority by filing the submissions before this Court.
According to the affidavit, proposed surety, as suggested
by the petitioner, is not ready to stand, as such, and,
therefore, the application of the petitioner for furlough
was not considered by the authority below.

During the course of the hearing, it is clear
to the Court that on the previous occasion, the
petitioner has surrendered himself and he was not
required to be brought back to the prison by the police.
In that view of the mater, submission of the petitioner
through his counsel is accepted that he shall be offering

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fresh surety to the authority. If such exercise is done by the petitioner, within a period of three weeks from today, the authorities below are directed to consider the request of the petitioner in accordance with law.

With these observations, the writ petition is partly allowed.

The charges for the counsel for the petitioner are quantified at Rs.1,500/-.

JUDGE

JUDGE

!! BRW !!

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