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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4463 OF 2017

Balu Umaji Mane ..Petitioner
V/s
The State of Maharashtra ...Respondent
.....
Mrs. Nasreen S.K. Ayubi, Advocate appointed for the petitioner.
Mrs. G.P. Mulekar, A.P.P. - State.
.....

**CORAM : SMT. V.K. TAHILRAMANI &
M.S.KARNIK, J.J.**

DATE : 16th NOVEMBER, 2017.

ORAL JUDGMENT (PER SMT. V.K. TAHILRAMANI, J.):

Heard both sides. The petitioner preferred an application for furlough on 6/2/2017. The said application was rejected by order dated 5/5/2017. Being aggrieved thereby the petitioner preferred an appeal. The appeal was dismissed by order dated 31/8/2017, hence this Petition.

2. One of the reasons for rejecting the application of the petitioner for furlough is that the appeal preferred by him against his conviction is pending before the higher Court and he has not been

granted bail by the said Court. In Notification dated 26/8/2016 it is provided that the prisoner whose appeal against conviction is pending before a higher Court and he has not been granted bail in the said matter, shall not be released on furlough. In view of the Notification we cannot find any error in the order rejecting the application of the petitioner for furlough. No case is made out for interference.

3. Rule is discharged.

(M.S. KARNIK, J.)

(SMT. V.K. TAHILRAMANI J.)