

Santosh

***IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.163 OF 2018***

Suresh @ Surya Naik. Petitioner.

Versus

The Inspector General of
Prisons and another. Respondents.

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

Mr. Pravin Faldessai, Additional Public Prosecutor for the
Respondents.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 16 October 2018.

P.C.:

By this Petition, the Petitioner has sought a direction to release the Petitioner on furlough for a period of twenty one days on surety bond of ₹ 10,000.

2. The application filed by the Petitioner for furlough has been granted by the Inspector General of Prisons by an order dated 14 August 2018. The Petitioner, however, is aggrieved by the condition to execute a personal bond in Form II of ₹ 40,000 and produce one surety of like amount giving cash or otherwise.

3. In identical circumstances, in Criminal Writ Petition No.109/2018, we had clarified that Form II and Surety Form II appended to Goa Prisons Rules envisages payment in default. In view thereof, the Inspector General of Prisons will reconsider the imposition of second part of Clause 1 of the order dated 14 August 2018 in the light of what we have observed in the order in Criminal Writ Petition No.109/2018 dated 18 June 2018. Reconsideration be done within a period of one week from today.

4. The Writ Petition is accordingly disposed of.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.