

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2648 OF 2019

Mohammad Parvez Anarul Haq ... Petitioner

Versus

The State of Maharashtra ... Respondent

Mr. S.D. Chandak for the petitioner.

Mr. Arfan Sait, APP for the State.

Mr. P.M. Nagawade, Jailor Gr. II Nashik Jail present.

CORAM : B.P. DHARMADHIKARI &
SANDEEP KASHINATH SHINDE, JJ.
DATE : SEPTEMBER 17, 2019

P.C.:

The convict in jail since 20/3/2011 has sought furlough. It is declined because of adverse police report. The adverse police report is sent by the Superintendent of Police, East Champaran Motihari, Bihar. He has stated that the prisoner resides at Kathmaliya, Tahsil Shikarganj, District Motihari which has open border with Nepal and hence, chances of the prisoner escaping to Nepal to avoid punishment are more.

2. Learned APP has pointed out that the murder of his wife came to light at CST, when bag containing body was noticed.

3. In this situation, we do not find anything wrong with the view taken by the Authorities. However, if the petitioner is in a position to show his place of stay within the state of Maharashtra and is able to give local surety, he may apply afresh in accordance with law. Hence, with this liberty, we dispose of the petition.

4. This order be communicated to the prisoner in jail.

(SANDEEP KASHINATH SHINDE, J.)

(B.P. DHARMADHIKARI, J.)