

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

50. CRIMINAL WRIT PETITION No. 369 of 2020

Prakash S/o Suryakant Lad (C-5267)
age major occupation convict
R/o Sai Malhar Chawl, Room No. 12,
Gautam Nagar, Balukum, Thane West
at present confined in Open Prison, Paithan. ...Petitioner

VERSUS

1. The State of Maharashtra
Through : The D.I.G., Prisons, Aurangabad
2. The State of Maharashtra
through the Superintendent,
Open Prison, Paithan. ...Respondents

Mr. Rupesh A. Jaiswal, Advocate for petitioner
Mrs. P.V. Diggikar, Addl. Public Prosecutor for Respts./State.

CORAM : T.V. NALAWADE, J.

DATE : 19th May, 2020

J U D G M E N T :

1. Rule. Rule made returnable forthwith.
2. By consent, heard both the sides for final disposal.
3. This proceeding is filed challenging the order passed by respondent No. 1-authority by which, the petitioner is directed to

give cash security of Rs. 5000/- and two sureties in the sum of Rs. 10,000/-, each and P.R. bond of the similar amount. The petitioner has been behind the bar for more than 10 years. It is submitted that he is kept in open jail. It is submitted that this is the first time of his coming out on furlough leave.

4. The order is already made by the respondent-authority to release the petitioner on furlough leave but onerous condition is imposed upon him.

5. In view of the aforesaid circumstances, this Court holds that taking cash security of Rs. 5000/- and personal bond of Rs. 5000/- will be sufficient for releasing the petitioner on furlough leave. So, the petition is allowed. The order made by the respondent-authority is quashed and set aside. The petitioner is to be released on furlough leave after getting cash security of Rs. 5000/- (Rs. Five thousand only) and P.R. bond of Rs. 5000/- (Rs. Five thousand only) subject to usual terms and conditions.

6. Rule is made absolute.

(T.V. NALAWADE)
JUDGE