

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

CRIMINAL WRIT PETITION NO.386/2020

Mohd Yakub Abdul Majid Nagul,
Convict No. C/8774
Presently at Central Prison,
Nagpur.

.... **PETITIONER**

// VERSUS //

- 1) Deputy Inspector General (Prison)
(East) Nagpur.
- 2) The Superintendent Central Prison,
Nagpur.

.... **RESPONDENTS**

Mr. Mir Nagman Ali, Counsel for the petitioner.
Ms. K. R. Deshpande, APP for the respondents

**CORAM : R. K. DESHPANDE, AND
AVINASH G. GHAROTE, JJ.**

DATED : 04/11/2020

ORAL JUDGMENT : (Per : AVINASH G. GHAROTE, J.)

1. Heard. **Rule.** Rule made returnable forthwith. Heard finally with the consent of the learned counsel appearing for the parties.

2. The present petition challenges the order dated 13.08.2020 passed by respondent no. 1 imposing the condition of furnishing of bond of Rs. 2 lakhs for release on furlough, in terms of judgment and order dated 19.06.2019.

3. Learned Additional Public Prosecutor submitted that on the earlier occasions, a bond in the sum of Rs. 5000/- was required to be executed for the purpose of release on furlough.

4. We do not see any reason for enhancement of the bond amount to Rs.2 Lakhs, which actually acts as deterrent in the way of release. The order dated 13.08.2020, is therefore, quashed and set aside. The respondent no.1 is directed to release the petitioner on furlough upon executing the bond of Rs. 5000/- with like surety instead of as required in terms of the order dated 13.08.2020.

Writ Petition is accordingly disposed of. Rule is made absolute in the aforesaid terms.

(AVINASH G. GHAROTE, J)

(R. K. DESHPANDE J.)