

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

CRIMINAL WRIT PETITION NO. 541 OF 2021

Satyasing Mayasing Bavri
(C. No. 9265)

... Petitioner

Versus

The State of Maharashtra
and another

... Respondents

....

Mr. S.J.Salunke, Advocate for the Petitioner
Mr.G.O. Wattamwar, A.P.P. for Respondent / State

....

**CORAM : V. K. JADHAV AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 04th AUGUST, 2021

PER COURT:-

1. With consent of the parties heard finally, at admission stage.
2. The petitioner is a life convict. He has applied for emergency parole leave. By impugned order dated 18.01.2021, the Superintendent, Central Prison, Aurangabad has rejected the said application on the ground that the conduct of the petitioner is not satisfactory.
3. Learned APP has brought to our notice that the conduct of the petitioner is not satisfactory. Learned APP submits that the petitioner was in Jalgaon District Prison and he was shifted to Central Prison, Aurangabad on 24.08.2020. The petitioner has broken the glass of cabin of the Superintendent of District Prison, Jalgaon and further

threatened the staff. On the basis of these allegations, crime no. 368/2019 for the offences punishable under Sections 186, 504, 506 read with Section 34 of the Indian Penal Code came to be registered. Furthermore, the petitioner went on hunger strike and instigated the inmates to adopt the same course for their demands. Learned APP has further placed his reliance in case of ***Sachin Ramesh Sutrave Vs. State of Maharashtra and another*** (Criminal Writ Petition No.483/2020 decided by this Court at Nagpur on 18.12.2020). The Division Bench of this Court in the said case has rejected the application of the petitioner-convict therein solely on the ground of his conduct.

4. In the instant case, the petitioner had committed the crime and further instigated his fellow inmates. In terms of the provisions of Rule 4(6) of the Prisons (Bombay Furlough and Parole) Rules, 1959, the petitioner is not entitled to be released on emergency parole. There is no substance in this writ petition. Accordingly, we pass the following order.

ORDER

The Criminal Writ Petition is hereby dismissed.

[SHRIKANT D. KULKARNI]
JUDGE

[V. K. JADHAV]
JUDGE

S.P Rane