

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

69 CRIMINAL WRIT PETITION NO.1251 OF 2021

SHAIKH ASHPAK SHAIKH HASAN (C-8138)  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER

.....  
Advocate for Petitioner : Mr. Jaiswal Rupesh A  
APP for Respondents: Mr. S.J. Salgare  
.....

**CORAM : V. K. JADHAV AND  
SANDIPKUMAR. C. MORE, JJ.  
DATED : 20<sup>th</sup> DECEMBER, 2021**

**PER COURT:-**

1 We have heard learned counsel for the petitioner for some time. Learned A.P.P., on instructions, submits that if the petitioner files fresh application and if he shows his willingness to furnish different surety afresh, the authorities may consider his application for release on furlough, within a period of 45 days from the date of filing the application, on its own merits.

2. Learned counsel for the petitioner thus, on instructions, seeks leave to withdraw this petition to avail the said liberty of filing fresh application with the name of different surety.

3. Leave granted. Writ petition is disposed of as withdrawn with liberty as aforesaid.

4. Upon filing such application, the respondent authorities shall

consider the same on its own merits within statutory period of 45 days from the date of filing of said application.

**(SANDIPKUMAR. C. MORE, J.)**

**(V. K. JADHAV, J.)**

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