

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

**CRIMINAL WRIT PETITION NO. 1423 OF 2021**

Vitthal Hanumantrao Bore (C-12615)

**...Petitioner**

**Versus**

The State of Maharashtra

**...Respondent**

.....  
Shri. Nisargraj B. Garje, Advocate for the petitioner

Shri. R. D. Sanap, APP for respondent/State  
.....

**CORAM : V. K. JADHAV &  
SANDIPKUMAR C. MORE, JJ.**

**DATE : DECEMBER 21, 2021**

**ORAL ORDER : -**

1. Heard finally with consent, at admission stage.
2. In terms of the amended provision to Rule 19 of the Maharashtra Prisons (Mumbai Furlough and Parole) Rules, 1959, the petitioner-convict had filed an application for Covid emergency parole, however, respondent-authority has rejected the same for the reasons that on the earlier occasion when the petitioner-convict was released on furlough, the petitioner-convict had not returned to the prison on time and he was arrested by the police.

3. In terms of the provisions of sub-rule-(1) of Rule 19 clause C(ii), the respondent-authority when noticed that on the earlier occasion when the petitioner-convict was released on furlough, he did not return to the Jail for 128 days after expiry of furlough period and he was brought to the Jail after effecting his arrest in connection with the crime registered against him, rejected his application.

4. We do not find any fault in the order passed by the respondent – authority while rejecting the application of the petitioner. There is no substance in this petition. Criminal Writ Petition is hereby dismissed.

5. We quantify the fees of Shri. Nisargraj B. Garje, learned Counsel, appointed to represent the petitioner, at Rs. 2,000/- (Rupees Two Thousand) to be paid by the High Court Legal Aid Services, Sub-Committee, Aurangabad.

**[ SANDIPKUMAR C. MORE ]**  
**JUDGE**

**[ V. K. JADHAV ]**  
**JUDGE**