

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.57 OF 2023

Hemraj s/o Babu Rathod

... PETITIONER

VERSUS

The State of Maharashtra & ors.

... RESPONDENTS

.....
Ms Sharda P. Chate, Advocate for petitioner
Mr. M.M. Nerlikar, A.P.P. for respondents
.....

**CORAM : SMT. ANUJA PRABHUDESSAI AND
R.M. JOSHI, JJ.**

DATE : 30th JANUARY, 2023

P.C. :

By this petition, the petitioner has sought directions against respondents No.2 and 3 to release him on furlough leave of 28 days on executing his personal bond and on depositing cash surety of Rs.2000/-.

2. The petitioner had earlier challenged the order dated 21/9/2022, whereunder he was granted furlough on deposit of cash surety of Rs.10,000/- and personal bond of Rs.5000/- and surety bond of Rs.5000/-. This Court, by order dated 1/12/2022, passed in Criminal Writ Petition No.1636/2022, on taking into consideration the fact that the

petitioner is in jail since last 12 years, and other circumstances, modified the first condition by reducing the deposit of cash surety from Rs.10,000/- to Rs.2000/-. It was specifically made clear that the other conditions of order dated 21/9/2022 would remain the same. In compliance of the said order, the respondent no.3 has passed a fresh order dated 8/12/2022, whereunder the petitioner has been granted furlough subject to deposit of cash surety of Rs.2000/- and on furnishing personal bond of Rs.5000/- and surety bond of Rs.5000/-. The petitioner has once again challenged the said order and has sought relaxation of the condition of furnishing surety bond.

3. The impugned order is in consonance with the order dated 1/12/2022. Unless the said order is modified, no such directions can be given to the respondent No.3 to modify the condition relating to furnishing surety bond. The petition has no merits and is accordingly dismissed.

(R. M. JOSHI, J.)

(SMT. ANUJA PRABHUDESSAI, J.)

fmp/-