

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 541 OF 2022**

Aftab Syed Ahmed Shaikh

.....Petitioner

Vs.

The State Of Maharashtra

.....Respondent

None for the Petitioner.

Mr. Ajay Patil APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.
DATE : 24th FEBRUARY, 2023.**

P.C.:-

1) By the present Petition, Petitioner has prayed that the surety submitted by him namely Mr. Mohd. Bakar Yusuf Shaikh be accepted as a surety for his release on Parole Leave.

It is stated that, the said Mr. Mohd. Bakar Yusuf Shaikh had stood surety for the Petitioner on earlier three occasions when he was released on furlough leave. There is no contradiction about the said fact by the Jail Authority.

2) Record indicates that, in pursuance of Judgment dated 6th May, 2021 passed by this Court in Criminal Writ Petition No. 975 of 2021, the Petitioner was directed to be released on Parole Leave on usual conditions.

It is the grievance of the Petitioner that, inspite of the said Order of releasing him on Parole Leave, he could not avail it for want of

surety.

3) In view thereof, we direct the Jail Authority to accept the said surety of Mr. Mohd. Bakar Yusuf Shaikh submitted by the Petitioner for releasing him on Parole Leave.

4) We hereby direct the Petitioner to surrender to the Jail Authority after expiry of 30 days from the date of his actual release from the jail on parole leave.

5) Petition is accordingly allowed in the aforesaid terms.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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