



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 CRIMINAL WRIT PETITION NO.1748 OF 2024

NIRMAL DASO RAI @ ROY

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. R.A. Jaiswal, Advocate for petitioner

Mrs. Priya R. Bharaswadkar, APP for respondent Nos.1 and 2

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CORAM : SMT. VIBHA KANKANWADI &
S.G. CHAPALGAONKAR, JJ.

DATE : 17th OCTOBER, 2024

ORDER :

1 It appears that after the order was passed by this Court on 08.10.2024, respondent No.1 has passed order of releasing the petitioner on furlough on 14.10.2024. Learned Advocate General Mr. Birendra Saraf is present through video conferencing and submits that he is going to look after the concern expressed by this Court in respect of having a uniform policy. We accept that with his mediation or efforts some policy would be brought into force, which will be then applicable throughout the State.

2 Learned Advocate for the petitioner expresses that in the order passed on 14.10.2024, the petitioner has been directed to give surety though for the amount of Rs.5,000/- only; yet, the report that has been given by Tisri Thana to Superintendent of Police, Giridih on 12.10.2024 clearly says that no relative is able to give surety of the petitioner. The affidavit has been taken by the concerned Police Station. To this extent only we interfere and set aside the order dated 14.10.2024 and the condition of guarantor is set aside. We may reiterate that in the order itself it has been mentioned that the petitioner shall execute Cash Surety in addition to the Personal Bond. We say that since he is in open prison, that much condition is sufficient. With these directions the writ petition stands disposed of.

(S.G. CHAPALGAONKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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