

Court No. - 91

Case :- APPLICATION U/S 482 No. - 38127 of 2023

Applicant :- Rashid @ Pappu

Opposite Party :- State of U.P.

Counsel for Applicant :- Adesh Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar,J.

Heard learned counsel for the applicant and learned A.G.A. for the State.

By means of this application, the applicant has prayed to direct the court below to accept a personal bond and two sureties in one case to the satisfaction of the court concerned in anyone of the aforementioned case and same on being furnished be treated to be valid in all other cases where bail has been granted to the applicant in view of the law laid down by Hon'ble Apex Court in ***Hani Nishad @ Mohammad Imran @ Vikky Vs. The State of U.P. in Special Leave to Appeal No.8914-8915 decided on 31.10.2013.***

Learned counsel for applicant submits that the applicant is facing trial in 8 criminal cases arising out of same allegations of alleged banking fraud. In all the 8 criminal cases applicant has been granted bail with the direction to furnish personal bonds and two sureties of each amount to the satisfaction of the court concerned along with other conditions.

Learned counsel for applicant submits that the applicant is not a financially strong person and the condition of two sureties each in the like amount in every criminal case would adversely affect him and he prayed that a direction be passed that the sureties of two persons in one of the criminal case shall hold good for all other 8 cases and he has placed reliance on Application under Section 482 Cr.P.C. No.8038 of 2022, ***Mahesh Dayal Vs. State of State of U.P. which was disposed of vide order dated 30.8.2022.***

Details of eight criminal cases of the applicant are mentioned

hereinafter:

(1) Case Crime No.5710 of 2022, under section 136, 137 Electricity Act, Police Station- Ante Power Theft, District- Muzaffarnagar.

(2) Case Crime No.41 of 2023, under section 376 I.P.C., Police Station- Kakroli, District- Muzaffarnagar.

(3) Case Crime No.61 of 2023, under section 136, 137 Electricity Act and 379, 411 IPC, Police Station- Meerapur, District- Muzaffarnagar.

(4) Case Crime No.78 of 2023, under section 136, 137 Electricity Act and 379, 411 IPC, Police Station- Meerapur, District- Muzaffarnagar.

(5) Case Crime No.1065 of 2023, under section 136, 137 Electricity Act, Police Station- Ante Power Theft, District- Muzaffarnagar

(6) Case Crime No.166 of 2023, under section 136, 137 Electricity Act, Police Station- Ante Power Theft, District- Muzaffarnagar.

(7) Case Crime No.167 of 2023, under section 136, 137 Electricity Act, Police Station- Ante Power Theft, District- Muzaffarnagar

(8) Case Crime No.2149 of 2023, under section 136, 137 Electricity Act, Police Station- Ante Power Theft, District- Muzaffarnagar

This application is **disposed of** with the direction that the applicant shall file two sureties of Rs.25,000/- each (one surety should be a family member of the applicant) which shall hold good for all the aforesaid cases.

Order Date :- 26.10.2023

Shiv