

Court No. - 89

Case :- APPLICATION U/S 482 No. - 45260 of 2023

Applicant :- Gulshad

Opposite Party :- State of U.P.

Counsel for Applicant :- Sushil Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State. Perused the record.

2. The present application under Section 482 Cr.P.C. has been filed by the applicant with the prayer to accept the same sureties and bonds as furnished by the applicant in accordance with law for releasing the applicant on bail during trial in criminal cases pending in the courts below which are total three in numbers i.e.1. Case Crime No.218 of 2023, under Sections 307, 465, 471, 420 I.P.C. and Section 3/25 and 4/25 Arms Act, P.S. Chhapar, District Muzaffar Nagar. 2. Case Crime No.206 of 2023, under Sections 380, 457, 411 I.P.C., P.S. Chhapar, District Muzaffar Nagar. 3. Case Crime No. 239 of 2023, under Sections 136, 137 of Electricity Act, P.S. Charthawal, District Muzaffar Nagar.

3. The contention of learned counsel for the applicant is that applicant has been implicated in three cases and in all the three cases, he has been granted bail. Copies of bail orders are annexed as Annexure no. 2 in the application. It is further submitted that applicant has been granted bail on condition of personal bond of Rs. 50,000/- with two sureties of like amount in two cases and in one case, he has been granted bail on condition of personal bond of Rs. 40,000/- alongwith two sureties. He also placed reliance in the judgement passed by Hon'ble Supreme Court of India in "**Hani Nishad @ Mohammad Imran @ Vikky Vs. State of Uttar Pradesh**" passed in Special Leave to Appeal (Crl) No. 8914-8915 of 2018. He next submits that due to financial crisis applicant is not in a position to manage to produce ten sureties in all cases.

4. Per contra, learned AGA submitted that he has no objection for granting him benefit in terms of the judgment passed by Hon'ble Supreme Court of India in **Hani Nishad @ Mohammad Imran @ Vikky** (supra).

5. In view of the above, so far as the three cases of district Muzaffar Nagar in which the applicant has been released on bail, it is provided that the applicant may furnish a personal bond of Rs. 50,000/- and one surety to the like amount and same bond shall hold for two cases belonging to same district.

6. The other condition in the bail orders shall remain the same.

7. With these observations, this application is disposed of finally.

Order Date :- 12.12.2023

Meenu Singh