

Court No. - 15

Case :- APPLICATION U/S 482 No. - 10005 of 2023

Applicant :- Ajay Kumar Upadhyay

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt.
Lucknow

Counsel for Applicant :- Suresh Kumar Upadhyay

Counsel for Opposite Party :- G.A.

Hon'ble Shamim Ahmed,J.

Heard Sri Suresh Kumar Upadhyay, learned counsel for the applicant and learned A.G.A. for the state and perused the record.

This instant application under Section 482 Cr.P.C. has been filed by the applicant for directing the learned Court below to release the applicant by excepting only two sureties and not to insist the applicant to file separate surety bonds in each and every twenty two cases as mentioned in the application.

It has been submitted by the learned counsel for the applicant that the applicant has been falsely implicated in twenty two criminal cases and has been granted bail by the competent courts, the details of cases are as under :-

1. Case Crime No.487 of 2020, under Sections 419, 420, 467, 468, 471, 406, 506, 120-B I.P.C., Police Station Kotwali Nagar, District Ayodhya.
2. Case Crime No.451 of 2020, under Sections 420, 406, 467, 468, 471 I.P.C., Police Station Kotwali Nagar, District Ayodhya.
3. Case Crime No.656 of 2020, under Sections 419, 420, 467, 468, 471, 120-B, 406, 506 I.P.C., Police Station Kotwali Nagar, District Ayodhya.
4. Case Crime No.537 of 2020, under Sections 406, 420, 467, 468, 471, 120-B, 406, 506 I.P.C., Police Station Kotwali Nagar, District Ayodhya.
5. Case Crime No.563 of 2020, under Sections 419, 420, 406, 467, 468, 471, 506, 120-B I.P.C., Police Station Kotwali Nagar, District Ayodhya.
6. Case Crime No.290 of 2020, under Sections 419, 420, 467,

468, 471, 504, 506, 352 I.P.C., Police Station Kumarganj, District Ayodhya.

7. Case Crime No.206 of 2021, under Sections 420, 467, 468, 471, 504, 506 I.P.C., Police Station Kumarganj, District Ayodhya.

8. Case Crime No.295 of 2020, under Sections 419, 420, 467, 468, 471 I.P.C., Police Station Kumarganj, District Ayodhya.

9. Case Crime No.496 of 2020, under Sections 419, 420, 468, 467 I.P.C., Police Station Purcalnder, District Ayodhya.

10. Case Crime No.62 of 2020, under Sections 406, 419, 420, 467, 468, 471 I.P.C., Police Station Kumarganj, District Ayodhya.

11. Case Crime No.665 of 2020, under Sections 406, 419, 420, 506 I.P.C., Police Station Kotwali Nagar, District Ayodhya.

12. Case Crime No.298 of 2020, under Sections 419, 420, 467, 468, 471, 352, 506 I.P.C., Police Station Kumarganj, District Ayodhya.

13. Case Crime No.34 of 2021, under Sections 419, 420, 467, 468, 471, 504, 503, 34 I.P.C., Police Station Kumarganj, District Ayodhya.

14. Case Crime No.572 of 2020, under Sections 506, 420, 406, 467, 468, 471 I.P.C., Police Station Inayatnagar, District Ayodhya.

15. Case Crime No.278 of 2020, under Sections 406, 419, 420, 467, 468, 471 I.P.C., Police Station Kumarganj, District Ayodhya.

16. Case Crime No.125 of 2021, under Sections 419, 420, 406, 467, 468, 471, 506, 504 I.P.C., Police Station Kotwali Nagar, District Ayodhya.

17. Case Crime No.147 of 2021, under Sections 419, 420, 406, 467, 468, 471, 506, 504 I.P.C., Police Station Kotwali Nagar, District Ayodhya.

18. Case Crime No.226 of 2022, under Sections 419, 420, 467, 468, 471, 506 I.P.C., Police Station Kotwali Nagar, District Ayodhya.

19. Case Crime No.156 of 2022, under Sections 419, 420, 406, 467, 468, 471, 506, 504 I.P.C., Police Station Purcalnder,

District Ayodhya.

20. Case Crime No.385 of 2021, under Sections 419, 420, 406 I.P.C., Police Station Kotwali Bikapur, District Ayodhya.

21. Case Crime No.177 of 2021, under Sections 419, 420, 467, 468, 471 I.P.C., Police Station Kant, District Ayodhya.

22. Case Crime No.581 of 2022, under Sections 419, 420, 467, 468, 471, 506 I.P.C., Police Station Kotwali, District Ayodhya.

It has been submitted by the learned counsel for the applicant that the applicant belongs to a very poor family so he is unable to manage 44 persons for surety before the learned trial court.

The Hon'ble Supreme Court in special leave to appeal **Criminal No.8914- 8915 of 2018 Hani Nishad alias Mohd. Imran alias Viccky vs. State of U.P. and Others** had directed that the applicant who was an accused in 31 cases be released on bail taking one personal bond and two sureties.

A prayer has been made by the learned counsel for the applicant that the applicant be also given the benefit of judgment rendered by the Hon'ble Supreme Court in the case of **Hani Nishad (supra)**.

This application is **disposed of** with the direction to the learned trial court to accept one personal bond and two sureties to its satisfaction in one criminal case against the applicant and such personal bond and sureties shall hold good in all the twenty two cases in which the applicant has been granted bail.

Order Date :- 13.10.2023

Saurabh