

Court No. - 8

Case :- APPLICATION U/S 482 No. - 10872 of 2023

Applicant :- Dinesh Kumar Ojha And Another

Opposite Party :- State Of U.P. Thru. Addl. Prin. Secy. Deptt. Of Home Lko. And 2 Others

Counsel for Applicant :- Dileep Kumar Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

(I.A. No. 1 of 2023, Application for Withdrawal)

1. Heard counsel for the applicants.
2. Learned counsel for the applicants states that he does not want to press the withdrawal application and the same may be rejected as withdrawn.
3. Accordingly, the application is rejected as withdrawn.

(Order on Main Application)

1. In terms of order passed by this Court on 06.11.2023, the Sub Divisional Officer, Tehsil- Patti, District- Pratapgarh and Sub-Inspector, Mohd. Shamsheer Alam, P.S. Kandhai, District- Pratapgarh are present before this Court.
2. Heard.
3. The application has been filed challenging an order whereby the applicants were directed to furnish a bond of Rs. 50,000/- and two sureties in terms of powers under Sections 107/111 of the Cr.P.C. "State Vs. Devendra Ojha & Another" at Police Station- Kandhai, District- Pratapgarh pending in the court of Sub-Divisional Magistrate, Tehsil-Patti, District- Pratapgarh.
4. Contention of learned counsel for the applicants is that the impugned order was passed mechanically without application of mind.
5. On perusal of the said order, prima-facie there appears to be no consideration while passing the impugned with an amount of Rs. 50,000/- and two sureties, as such the order dated 16.10.2023 is modified to the extent that applicant shall deposit a bond of Rs. 5,000/- and two sureties.
6. Application is **disposed of** in the above terms.
7. Personal appearance of the officers concerned is exempted.

Order Date :- 4.12.2023/Mohit Singh