Court No. - 28

Case :- APPLICATION U/S 482 No. - 11130 of 2023

Applicant :- Abhinandan Yadav
Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.
Counsel for Applicant :- Jitendra Kushwaha,Vivek Chandra
Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the applicant, Sri Girijesh Kumar Dwivedi, learned A.G.A. for the State and perused the material placed on record.

By means of the instant application, the applicant has prayed that this Court may be pleased to direct the learned Court below not to insist the applicant to file separate sureties and bonds in each and every five cases and accept only two sureties and one personal bond in lieu of all the five cases.

The learned counsel appearing for the applicant submits that it has become impossible for the applicant to submit separate sureties and bonds in each of cases, in which, he has been granted bail. He added that the applicant has been granted bail in five cases arising out of following Case Crime Numbers :-

1)Case Crime No. 21 of 2023, under Sections 380, 411,413 of IPC, PS - Gomti Nagar Extension, District -Lucknow.

2)Case Crime No. 115 of 2023, under Sections 380,457, 411,413 of IPC, PS - Gomti Nagar Extension, District -Lucknow.

3)Case Crime No. 140 of 2023, under Sections 380, 457,411,413 of IPC, PS - Gomti Nagar Extension, District -Lucknow

4)Case Crime No. 134 of 2023, under Sections 380,457, 411,413 of IPC, PS - Gomti Nagar Extension, District -Lucknow

5)Case Crime No. 271 of 2023, under Sections 380,457, 411,413 of IPC, PS - Gomti Nagar

Extension, District -Lucknow.

He next added that despite the Trial Court granted the bail in aforesaid matters, the applicant is still in jail. Being a poor person, he is unable to produce the sureties in each cases. It is further submitted by the learned counsel for the applicant that in similar circumstances, namely, in the case of **Hani Nishad @ Mohammad Imran @ Vikky vs. The State of Uttar Pradesh [SLP (Crl.) No.8914-8915/2018]** the Supreme Court vide order dated 29.10.2018 has permitted the petitioners to submit separate personal bonds and **two sureties of heavy amount** to hold good in all the cases.

Referring the aforesaid judgement and order, he submits that the applicant may also be given the benefit of the ratio of the judgement passed in **Hani Nishad @ Mohammad Imran @ Vikky (supra)**.

Considering the aforesaid fact, the petition is **disposed of** with a direction to the applicant to furnish a personal bond of Rs.1,00,000/- and two sureties of the like amount in one case, which shall be treated to be valid in all other cases wherein the bail orders have been passed.

Order Date :- 9.11.2023
AKS

Digitally signed by :-
ANUJ KRISHNA SRIVASTAVA
High Court of Judicature at Allahabad,
Lucknow Bench