

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11517 of 2023

Applicant :- Sonu

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

Counsel for Applicant :- O.P. Tiwari, Ashish Shukla, Om Shankar Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicant, learned A.G.A. for the State of U.P. and perused the material available on record.

The instant application under Section 482 Cr.P.C. has been filed by the applicant to permit him to submit two sureties and personal bond in all three cases in which he was roped only one arrest and applicant has been granted bail in all cases by the court below.

Learned counsel for the applicant submits that the applicant is innocent and he has falsely been implicated in 3 cases. He next submitted that in all the case registered against the applicant, he has been granted bail by the court below. He says that the applicant is a poor labourer, thus, he is not in a position to furnish huge sureties for all the cases in compliance of bail orders. It is further submitted that the details of cases registered against the applicant are as follows:-

(i) Case Crime No. 508 of 2022, under Section 3/5/8 Cow Slaughter Act.

(ii) Case Crime No. 437 of 2022, under Section 379 I.P.C. and 3/5/8 Cow Slaughter Act.

(iii) Case Crime No. 431 of 2022, under Section 379 I.P.C. and 3/5/8 Cow Slaughter Act.

Learned counsel for the applicant has relied upon the judgment of the Apex Court passed in ***Special Leave to Appeal (Criminal) No. 8914-8915 of 2018; Hani Nishad @ Mohammad Imran @ Vikky Vs. State of U.P.***

Learned A.G.A. submits that he does not want to file any counter affidavit.

In view of the facts and circumstances of the case as well as rival submissions advanced by the learned counsel for both the parties, the present application under Section 482 Cr.P.C. stands ***disposed of*** finally in the light law laid down by the Apex Court in the case of ***Hani Nishad @ Mohammad Imran @ Vikky (Supra)*** and the Court below is directed to execute the personal bond of Rs. 50,000/- in every case and produce two sureties each in the like amount to the satisfaction of the Court/Magistrate concerned in one case which shall hold good for rest of the cases.

Order Date :- 24.11.2023

Arun/-