

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11505 of 2023

Applicant :- Mohd. Altaf

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

Counsel for Applicant :- Vikas Maurya, Umesh Kumar Maurya

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicants and learned A.G.A. for the State and perused the material on record.

The instant application under Section 482 Cr.P.C. has been filed for the following main relief:-

"Wherefore, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to allow the petitioner submitted a personal bond and two sureties in all the cases (mentioned on Para 5 of the memo of petition) in the interest of justice."

On being confronted, learned counsel for the applicant submits that he is pressing the present application only for the cases pending at District-Unnao and liberty may be given to applicant to prefer separate application under Section 482 Cr.P.C. for the cases pending at District-Lucknow.

The aforesaid has not been opposed.

Accordingly, the present application is dismissed with regard to cases pending at Lucknow with liberty, as prayed for.

In regard to the cases pending at District-Unnao i.e. Case Crime No. 122/2022 under Section-379 I.P.C. and 3/5/8 Cow Slaughter Act, Police Station-Asoha, District-Unnao and Case Crime No.216 of 2022, under Section-2/3, U.P. Gangster Act, Police Station-Asoha, District-Unnao, learned counsel for the applicant submitted that the applicant is innocent and he has not committed any offence and he has falsely been implicated in the cases, as indicated in para 5 of the application/petition.

He next submitted that all the cases indicated in para 5 of the application/petition and pending against the applicant, he has been granted bail. He says that the applicant is not in a position to furnish huge sureties for all the cases in compliance of bail orders.

Learned counsel for the applicant has relied upon the judgment of the Hon'ble 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 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 learned Court at District-Unnao 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

Vinay/-