

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11621 of 2023

Applicant :- Ashish Chauhan

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

Counsel for Applicant :- Ajay Kumar Singh, Jai Prakash Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard.

The present application under Section 482 CrPC has been filed with following prayer:-

"Wherefore, it is most respectfully prayed that this Hon'ble High Court may graciously be pleased to direct the learned court below not to insist the petitioner to file two separate sureties in each and every 8 [eight] cases pending against the petitioner and release on personal bonds only two sureties in the interest of justice."

Learned counsel for the applicant submits that the applicant is innocent and he has falsely been implicated in 8 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 person, 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. 110 of 2021, under Section 406, 420 I.P.C.
- (ii) Case Crime No. 223 of 2021, under Section 406, 420 I.P.C.
- (iii) Case Crime No. 224 of 2021, under Section 406, 420 I.P.C.
- (iv) Case Crime No. 225 of 2021, under Section 406, 420 I.P.C.
- (v) Case Crime No. 226 of 2021, under Section 406, 420 I.P.C.
- (vi) Case Crime No. 227 of 2021, under Section 406, 420 I.P.C.
- (vii) Case Crime No. 228 of 2021, under Section 406, 420 I.P.C.
- (viii) Case Crime No. 01 of 2023, under Section 2/3, U.P. Gangster and Anti Social Activities Prevention Act-1986.

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. 20,000/- 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 :- 29.11.2023

Raj