

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11700 of 2023

Applicant :- Ashfaque

Opposite Party :- State Of U.P. Thru. Prin. Secy. (Home) Civil Sectt. Lko

Counsel for Applicant :- Umang Agarwal

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania,J.

Heard.

The instant application under Section 482 Cr.P.C. has been filed by the applicant to permit him to submit two sureties and his personal bond for the amount, which may be deemed fit by this Court in all cases in which he was roped.

Learned counsel for the applicant submits that the applicant is innocent and he has falsely been implicated in 5 cases. He next submitted that in all the cases registered against the applicant, he has been granted bail by the court concerned. He says that the applicant is a very poor person and not in a position to furnish huge sureties in each and every case in compliance of bail orders. It is further submitted that the details of cases registered against applicant at District Bahraich are as follows:-

(i) Case Crime No. 699 of 2022, under Sections 457, 380, 411 I.P.C.

(ii) Case Crime No. 639 of 2010, under Sections 15/8 of NDPS Act.

(iii) Case Crime No. 715 of 2007 under Sections 8/20 of NDPS Act.

(iv) Case Crime No. 922 of 2013 under Sections 8/20 of NDPS Act.

(v) Case Crime No. 638 of 2012 under Sections 8/20 of NDPS 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 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 concerned 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 :- 1.12.2023

Arun/-