

Court No. - 15

Case :- APPLICATION U/S 482 No. - 12100 of 2023

Applicant :- Shanu Khan

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

Counsel for Applicant :- Mukesh Kumar Prajapati, Ravindra Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Shamim Ahmed, J.

Heard learned counsel for the applicant and learned A.G.A. for the state and perused the record.

This application under Section 482 Cr.P.C. has been filed by the applicant for directing the learned Court below not to insist the applicant to file separate surety bonds in each and every six cases and accept only two sureties.

It has been submitted by the learned counsel for the applicant that the applicant has been falsely implicated in six criminal cases and has been granted bail by the learned courts below, the details of cases are as under :-

1. Case Crime No. 76 of 2022, under Sections 406, 420, 467, 468, 471, 504, 506 I.P.C., Police Station Bazar Khala, District Lucknow.
2. Case Crime No. 77 of 2022, under Sections 406, 420, 467, 468, 471, 504, 506 I.P.C., Police Station Bazar Khala, District Lucknow.
3. Complaint Case No. 55781 of 2022, under Section 138 Negotiable Instrument Act, Police Station Ghazipur, District Lucknow.
4. Complaint Case No. 55782 of 2022, under Section 138 Negotiable Instrument Act, Police Station Ghazipur, District Lucknow.
5. Complaint Case No. 55783 of 2022, under Section 138 Negotiable Instrument Act, Police Station Ghazipur, District Lucknow.
6. Complaint Case No. 55785 of 2022, under Section 138 Negotiable Instrument Act, Police Station Ghazipur, District Lucknow.

It has been submitted by the learned counsel for the applicant that the applicant belongs to a very poor family so he is unable to manage 12 persons for surety before the learned trial court.

The Hon'ble Supreme Court in special leave to appeal **Criminal No.8914- 8915 of 2018 Hani Nishad alias Mohd. Imran alias Viccky vs. State of U.P. and Others** had directed that the applicant who was an accused in 31 cases be released on bail taking one personal bond and two sureties.

A prayer has been made by the learned counsel for the applicant that the applicant be also given the benefit of judgment rendered by the Hon'ble Supreme Court in the case of **Hani Nishad (supra)**.

This application is disposed of with the direction to the learned trial court to accept one personal bond and two sureties to its satisfaction in one criminal case against the applicant and such personal bond and sureties shall hold good in all the other six cases in which the applicant has been granted bail.

The application is, accordingly, **disposed of**.

Order Date :- 13.12.2023

Arvind