

Court No. - 15

Case :- APPLICATION U/S 482 No. - 12102 of 2023

Applicant :- Harish Chandra Tewari

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

Counsel for Applicant :- Vinod Kumar

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 eleven 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 eleven criminal cases and has been granted bail by the learned courts below, the details of cases are as under :-

1. Case Crime No. 161/2023, under Section 3(1) of U.P. Gangster Act, Police Station Kumarganj, District Ayodhya.
2. Case Crime No. 94/2023, under Sections 457, 380 and 411 of I.P.C., Police Station Kumarganj, District Ayodhya.
3. Case Crime No. 109/2023, under Section 457, 380, 411 I.P.C. Police Station Kumarganj, District Ayodhya.
4. Case Crime No. 119/2023, under Section 457, 380 and 411 I.P.C. Police Station Kumarganj, District Ayodhya.
5. Case Crime No. 128/2023, under Sections 380, 411 I.P.C., Police Station Kumarganj, District Ayodhya.
6. Case Crime No. 129/2023, under Section 380, 411 and 457 I.P.C. Police Station Khandasa, District Ayodhya.
7. Case Crime No. 93/2023, under Sections 457, 311 I.P.C. Police Station Kumarganj, District Ayodhya/Faizabad.

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 22 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 eleven cases in which the applicant has been granted bail.

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

Order Date :- 13.12.2023

Arvind