

Court No. - 15

Case :- APPLICATION U/S 482 No. - 12142 of 2023

Applicant :- Shanu Quraishi

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

Counsel for Applicant :- Abhay Raj Singh

Counsel for Opposite Party :- G.A.

Hon'ble Shamim Ahmed,J.

Heard Sri Abhay Raj Singh, learned counsel for the applicant and learned A.G.A. for the state and perused the record.

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

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 competent courts, the details of cases are as under :-

1. Case Crime No.238 of 2019, under Sections 302, 272, 34, 120-B, 147 I.P.C. and Section 60(1) of Excise Act, Police Station Ram Nagar, District Barabanki.
2. Case Crime No.239 of 2019, under Sections 272, 34, 120-B I.P.C. and Section 60(1) of Excise Act, Police Station Ram Nagar, District Barabanki.
3. Case Crime No.240 of 2019, under Sections 302, 272, 34, 120-B, 147 I.P.C. and Section 60(1) of Excise Act, Police Station Ram Nagar, District Barabanki.
4. Case Crime No.494 of 2019, under Sections 307 I.P.C., Police Station Kotwali, District Barabanki.
5. Case Crime No.495 of 2019, under Sections 3/25 of Arms Act, Police Station Kotwali, District Barabanki.
6. Case Crime No.411 of 2019, under Sections 3(1) of U.P. Gangster and Anti Social Activities (Prevention) Act, 1986, Police Station Ram Nagar, District Barabanki.

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 six cases in which the applicant has been granted bail.

Order Date :- 14.12.2023

Saurabh