

Court No. - 11

Case :- APPLICATION U/S 482 No. - 12498 of 2023

Applicant :- Mohit Kumar Alias Bhawanideen And Another

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

Counsel for Applicant :- Abhishek Awasthi, Ram Saran Awasthi

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicants and learned A.G.A. for the State and perused the material on record.

The instant application under Section 482 Cr.P.C. has been filed by the applicants to permit them to submit two sureties and one personal bond for all five cases from each applicant and applicants have been granted bail in all cases by the court below.

Learned counsel for the applicants submits that the applicants are innocent and they have falsely been implicated in all four cases. He next submitted that in all the cases registered against the applicants, they have been granted bail by the court below. He says that the applicants are very poor persons 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 applicants at District Barabanki are as follows:-

It is further submitted that the details of cases registered against applicant no.1/Mohit Kumar alias Bhawanideen at District Barabanki are as follows:-

- (i) Crime No. 203 of 2023, under Sections 457/380/411 I.P.C.
- (ii) Crime No. 206 of 2023, under Sections 457/380/411 I.P.C.
- (iii) Crime No. 208 of 2023, under Sections 457/380 I.P.C.
- (iv) Crime No. 209 of 2023, under Sections 457/380 I.P.C.

It is further submitted that the details of cases registered against applicant no.2/Vipin Kumar at District Barabanki are as follows:-

- (i) Crime No. 203 of 2023, under Sections 457/380/411 I.P.C.
- (ii) Crime No. 206 of 2023, under Sections 457/380/411 I.P.C.
- (iii) Crime No. 208 of 2023, under Sections 457/380/411 I.P.C.
- (iv) Crime No. 209 of 2023, under Sections 457/380/411 I.P.C.

Learned counsel for the applicants 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 below 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 :- 21.12.2023

Jyoti/-