

Court No. - 11

Case :- APPLICATION U/S 482 No. - 12694 of 2023

Applicant :- Vishnu Gupta

Opposite Party :- State Of U.P. Thru. Prin. Secy. (Home),
Govt. U.P. Lucknow And Another

Counsel for Applicant :- Mukul Kumar Sharma, Mohit Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicant 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 applicant for the following main relief:-

"Wherefore, it is most respectfully prayed that this hon'ble court may graciously be pleased to direct the concerned court district Faizabad to release the applicant from jail subject to execution of personal bond and two sureties in one case. i.e. Case Crime No. 567/2020, U/S - 419, 420, 406, 506 IPC, P.S. Kotwali Bikapur, District Faizabad/Ayodhya, and the same sureties may also be treated in other 16 cases in this the applicant has already been released on bail by this hon'ble court."

Learned counsel for the applicant submits that the applicant is innocent and he has falsely been implicated in 17 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 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 Faizabad/Ayodhya are as follows:-

(i) Case Crime No. 567 of 2020, under Sections 419, 420, 406, 506 I.P.C.

(ii) Case Crime No. 656 of 2020, under Sections 406, 419, 420, 467, 468, 471, 506, 120-B I.P.C.

(iii) Case Crime No. 523 of 2020, under Sections 419, 420, 467, 468, 471, 506 I.P.C.

(iv) Case Crime No. 290 of 2020, under Sections 419, 420, 467, 468, 471, 504, 506, 352 I.P.C.

(v) Case Crime No. 563 of 2020, under Sections 406, 409, 419, 420, 467, 468, 471, 506, 120-B, 409 I.P.C.

(vi) Case Crime No. 299 of 2021, under Sections 406, 419, 420, 467, 468, 471, 506, 34 I.P.C.

(vii) Case Crime No. 177 of 2021, under Sections 419, 420, 467, 468, 471 I.P.C.

(viii) Case Crime No. 537 of 2020, under Sections 406, 409, 420, 467, 468, 471, 506, 120-B, 419, 409 I.P.C.

(ix) Case Crime No. 298 of 2021, under Sections 406, 419, 420, 467, 468, 471, 506, 34 I.P.C.

(x) Case Crime No. 404 of 2020, under Sections 406, 419, 420, 467, 468, 471, 506, 34 I.P.C.

(xi) Case Crime No. 62 of 2020, under Sections 406, 419, 420, 467, 468, 471, 506, 504 I.P.C.

(xii) Case Crime No. 665 of 2020, under Sections 419, 420, 406, 506 I.P.C.

(xiii) Case Crime No. 496 of 2020, under Sections 419, 420, 467, 468 I.P.C.

(xiv) Case Crime No. 297 of 2021, under Sections 406, 419, 420, 467, 468, 471, 506, 34 I.P.C.

(xv) Case Crime No. 450 of 2020, under Sections 419, 420, 467, 468, 406, 506 I.P.C.

(xvi) Case Crime No. 451 of 2020, under Sections 406, 419, 420, 467, 468, 471, 409 I.P.C.

(xvii) Case Crime No. 860 of 2020, under Sections 419, 420, 467, 468, 471, 406 I.P.C.

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 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 :- 22.12.2023

Arun/-