

Court No. - 29

Case :- APPLICATION U/S 482 No. - 2710 of 2024

Applicant :- Faisal Hassan And Another

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

Counsel for Applicant :- Osama Ahmad Abbasi

Counsel for Opposite Party :- G.A.

Hon'ble Ajay Bhanot,J.

Heard Shri Osama Ahmad Abbasi, learned counsel for the applicants and Shri S. P. Tiwari, learned AGA for the State.

The matter arises out of a matrimonial dispute. The applicants have already been enlarged on anticipatory bail. The applicants are aggrieved by the condition in the anticipatory bail granted by the trial court by order dated 13.02.2024.

Shri Osama Ahmad Abbasi, learned counsel for the applicants contends that the condition no. 5 in the order granting anticipatory bail is arbitrary and illegal.

Learned AGA could not satisfactorily refute the aforesaid submission.

Heard learned counsels for the parties.

Condition No. 5 insofar as it directs the applicants to deposit their passports is onerous. The condition curtails the liberty of bail granted by the trial court and does not subserve any lawful object in the facts of the case. The condition unlawfully dilutes the liberty of bail

granted by the trial court. The condition no. 5 is accordingly set aside.

The applicants are granted one month time to file their sureties fixed by the trial court in the order dated 13.02.2024.

In wake of the aforesaid, the Application U/S 482 is disposed of.

Order Date :- 20.3.2024
Dhananjai