2026:AHC:210063

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 37293 of 2026

Salauddin @ Salman

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Sanjay Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 76

HON'BLE SAURABH SRIVASTAVA, J.

1. Heard learned counsel for the applicant and learned AGA for the State.

2. Present application has been preferred with prayer to direct the learned trial court to accept the two sureties and personal bond in all the 06 cases, mentioned in the prayer clause of instant application, wherein the applicant has already been granted bail, which are as follows:-

(1) Case crime no. 21 of 2026 under section 303(2), 317 (2) B.N.S., Police Station M.M. Gate, District Agra, (2) Case crime no. 29 of 2026 under section 303(2), 317 (2) B.N.S. Police Station M.M. Gate, District Agra, (3) Case crime no. 06 of 2026 under section 303(2), 317 (2) B.N.S. Police Station Sadar Bazar, District Agra, (4) Case crime no. 253 of 2026 under section 317(2), 317 (5) B.N.S. Police Station Sadar Bazar, District Agra. (5) Case crime no. 118 of 2026 under section 303(2), 317 (2) B.N.S. Police Station Sadar Bazar, District Agra, (6) Case crime no. 113 of 2026 under section 303(2), 317 (2) B.N.S. Police Station Sadar Bazar, District Agra, (7) Case crime no. 225 of 2026 under section 303 (2), 317 (2) B.N.S. Police Station Ekta, District Agra .

3. At the very outset, learned counsel for applicant sought the direction of this Court in shape of instructing the trial court to permit two sureties for all 07 cases, wherein the applicant has already been enlarged on bail.

4. Per contra, learned A.G.A. vehemently opposed the prayer sought through the instant application.

5. During the course of argument, a precise query has been raised before learned counsel for applicant that whether applicant has ever preferred the bail bond in pursuance to the aforesaid cases wherein he has been enlarged on bail and if so, whether there is a specific denial from learned trial court in shape of asking separate sureties for separate cases. In response to the query, learned counsel for applicant fairly submitted that applicant never preferred any bail bond in pursuance to any of aforesaid cases in which he has been enlarged on bail and there is no specific denial from learned trial court concerned.

6. In view of aforementioned discussions and after perusing the records, this Court finds that no prejudice has been caused to the applicant as applicant never intended to prefer bail bonds in pursuance to first bail order to the last bail order granted in his favour, which are consecutively 07 in numbers, but at no point of time he intended to prefer bail bonds and as such there is hardly any denial available in record with regard to two surety in each and ever bail bond. Hence, no cause of action arises in favour of applicant to pursue the instant application.

7. Accordingly, the prayer sought through instant application is refused.

8. However, the applicant will be at liberty to prefer application in shape of considering two sureties and personal bond in all the 07 cases, wherein he has been enlarged on bail in light of judgement rendered by Hon'ble Apex Court in case of **Hani Nishad @ Mohammad Imran @ Vikky Vs. State of U.P., decided on 29.10.2018 in Petition(s) for Special Leave to Appeal (Crl.) No. 8914-8915 of 2018**.

9. With the aforesaid direction, the instant application stands **disposed of.**

October 7, 2026
Ashish/-

(Saurabh Srivastava,J.)

Digitally signed by :-
ASHISH KUMAR SINGH
High Court of Judicature at Allahabad