HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 47967 of 2026

Rahman @ Aankhi

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ashutosh Tiwari, Satya Prakash Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 76

HON'BLE SAURABH SRIVASTAVA, J.

1. This matter is being taken up out of turn from the category of cases which have been mentioned in the morning on account of urgency. Heard learned counsel for parties.

2. Present application has been preferred with prayer to direct the learned court below to take common securities of the applicant who has been implicated in nine cases.

3. At the very outset, learned counsel for applicant sought the direction of this Court in shape of instructing the trial court to permit common sureties for all nine cases bearing Case Crime nos. 476 of 2026, 453 of 2026, 448 of 2026, 445 of 2026, 441 of 2026, 387 of 2026, 196 of 2026, 190 of 2026 and 262 of 2025 wherein, applicant has already been enlarged on bail.

4. Per contra, learned AGA 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 he is not aware whether applicant preferred any bail bond in pursuance to any of aforesaid cases in which he has been enlarged on bail.

6. In view of aforementioned discussions and after perusing the records, this Court finds that no prejudice has been caused to the applicant as learned counsel for applicant is unaware about the fact that whether applicant intended to prefer bail bonds in pursuance to any of the bail orders and whether there is any denial available in record with regard to common surety in each and ever bail bond. Hence, no cause of action arises in favour of applicant to pursue the instant application. Prayer sought through instant application is hereby **refused**.

7. However, it is made clear that applicant is hereby directed to prefer bail bond/application within 15 days and submit the same prayer before learned court concerned 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 which shall be considered by learned trial court in accordance with law laid down in case of **Hani Nishad (supra)**.If the applicant has already preferred bail bond/application, the same shall be considered by learned court concerned in light of **Hani Nishad (supra).**

8. The instant application stands **disposed of** accordingly.

(Saurabh Srivastava,J.)

November 2, 2026
Shaswat

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