

Court No. - 26

Case :- U/S 482/378/407 No. - 1974 of 2021

Applicant :- Shiv Shankar Goutam

Opposite Party :- State of U.P.

Counsel for Applicant :- Mukesh Kumar Tewari

Counsel for Opposite Party :- G.A.

Hon'ble Alok Mathur,J.

Heard Sri Mukesh Kumar Tewari, learned counsel for the applicant and the learned Additional Government Advocate for the State.

This application under Section 482 Cr.P.C. has been filed seeking a direction upon the court below to accept the personal bond and two sureties in one criminal case treating the same for all the 9 criminal cases mentioned in para 2 of this petition.

The contention of learned counsel for the applicant is that the applicant is involved in nine criminal cases for various offences. The bail has been granted in all the nine cases but the petitioner is unable to manage the separate surety bonds, hence, he could not submit his bail bonds in all the cases. Therefore, he has requested that the learned court below concerned be directed to consider the sureties and personal bond in one case treating the same for all the nine cases.

Learned counsel for the petitioner has indicated the details of the aforesaid nine cases in the memo of application as under:-

(1) Case Crime No. 35/2019, U/s 380, 411 I.P.C. registered at Police Station GRP, District Barabanki.

(2) Case Crime No. 45/2019, U/s 380, 411 I.P.C. registered at Police Station GRP, District Barabanki.

(3) Case Crime No. 43/2019, U/s 380 I.P.C. registered at Police Station GRP, District Barabanki.

(4) Case Crime No. 51/2019, U/s 380, 411 I.P.C. registered at Police Station GRP, District Barabanki.

(5) Case Crime No. 58/2019, U/s 392, 411 I.P.C. registered at Police Station GRP, District Barabanki.

(6) Case Crime No. 572019, U/s 379, 411 I.P.C. registered at Police Station GRP, District Barabanki.

(7) Case Crime No. 61/2019, U/s 380, 411 I.P.C. registered at Police Station GRP, District Barabanki.

(8) Case Crime No. 65/2019, U/s 411, 414 I.P.C. registered at Police Station GRP, District Barabanki.

(9) Case Crime No. 84/2019, U/s 2/3U.P. Gangster and Ante-Social Activities (Prevention) Act, 1986 registered at Police Station GRP, District Barabanki.

He further submits that Hon'ble Supreme Court in the case of **Hani Nishad @ Mohammad Imran @ Vikky vs. The State of U.P. vide order dated 29th October, 2018 passed in S.L.P (Crl.) No(s). 8914-8915 of 2018** has directed that the learned court below to accept the sureties and personal bond in one case and treat the same for all other case, so the same benefit may also be extended to the applicant.

Learned Additional Government Advocate has not disputed the aforesaid legal position being settled by the Hon'ble Supreme Court.

Keeping in view the submissions made by learned counsel for the parties as well as in the light of Hon'ble Apex Court's order passed in **Hani Nishad @ Mohammad Imran @ Vikky Vs. The State of Uttar Pradesh, passed in Petition(s) for Special Leave to Appeal (Crl.) No.(s) 8914-8915/2018**, present applicant under Section 482 Cr.P.C. is **disposed** of with a direction to the applicant to submit a personal bond of Rs. 1,00,000/- and fresh two sureties to the satisfaction of the Court concerned, in one case and the same shall be considered by the Court concerned as sureties and bonds in all nine case(s) for the purpose of releasing the applicant on bail. If this is done, the said personal bond and two sureties may be treated to be valid in all nine other cases wherein he has been released on bail and the same shall be deemed to be adequate compliance of all other bail orders.

(Alok Mathur, J.)

Order Date :- 12.5.2021

Ravi/