



2026:AHC:129673

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 23959 of 2026

Ishu Rawat @ Anubhav And Another

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Atul Pal, Monika Pal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE DEVENDRA SINGH-I, J.

1. Heard Ms. Monika Pal, learned counsel for the applicants and learned A.G.A. for the State. Perused the record.

2. The instant application has been moved on behalf of the applicant to accept the two personal bond and two sureties each for released of the applicants i.e. applicant no.1 and applicant no.2 on bail in three cases as Case Crime No.145 of 2026, under Sections 109(1) of BNS and Section 3/25 of Arms Act, Police Station-Kotwali, District-Fatehpur, Case Crime No.141 of 2026, under Sections 304(1), 111, 317(2) and 317(4), 3(5) of BNS, Police Station-Kotwali, District-Fatehpur and Case Crime No.129 of 2026, under Sections 309(4), 351(2), 111, 317(4) and 3(5) of BNS, Police Station-Kotwali, District-Fatehpur. Further prayer is made to direct the Court below to consider the sureties and personal bond in one case treating the same for all the three criminal cases.

3. Learned counsel for the applicants submitted that applicant were released on bail in three criminal cases and the Court below stated that in each case they should file two sureties and due to inability of the applicants to provide two sureties each in three cases, they are still languishing in jail although they have released on bail in all three cases. Therefore, it is desirable to direct the Court below to accept the only two sureties for three criminal cases in which applicants have been released on bail. He further submitted that if

such order is not given, then applicants will not come out from jail and bail orders granted in favour of the applicants earlier will become redundant. The bail orders of the applicants dated 23.05.2026 are annexed as Annexure No.1 to this application.

4. Per contra, learned A.G.A. although opposed the prayer but fairly conceded the fact that it appears that applicants are unable to arrange the two sureties each in three cases in which they have been released on bail and, therefore, a direction can be given to the Court below to accept two sureties in all three cases so as they may be released on bail.

5. I have heard learned counsel for the parties and perused the record.

6. The 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 cases, which is quoted herein below:

"Heard learned counsel for the parties. The petitioner is said to have been involved in 31 criminal cases for various offences.

The Trial Court granted bail in all the 31 cases by different orders inter alia on condition of arranging two sureties each in all the cases.

The petitioner moved the High Court under Section 482 of the Criminal Procedure Code, contending that it was impossible for the petitioner to arrange 62 sureties.

It is the case of the petitioner that the High Court had in similar circumstances granted bail to the petitioner with two sureties of Rs. 1,00,000/- (Rupees One lakh only) in the case under Gangster Act and the same sureties were to be the sureties in all other cases as well, by an order dated 21.9.2017. The petitioner was directed to execute personal bond of Rs. 30,000/- in each case.

However, by the impugned order, the High Court has modified the conditions of bail imposed by the Trial Court in the instant cases by directing the Trial Court to accept one common surety for all the cases and one surety each for the 31 cases.

Learned counsel for the petitioner submits that even though the Court has granted bail to the petitioner, the petitioner is unable to execute the bail bonds because of the onerous conditions of bail imposed particularly the condition of producing 31 sureties.

Considering the submissions, the impugned order is modified to the extent that the petitioner shall execute a personal bond for Rs. 30,000/- (Rupees Thirty thousand only) and the same bond shall hold good for all 31 cases. There shall be two sureties who shall execute the bond for Rs. 30,000/- which bond shall hold good for all the 31 cases. It is clarified that the personal bond so executed by the Petitioner and the bond so executed by the two sureties shall hold good for all the 31 cases.

With these observations, the Special Leave Petitions are disposed of.

Pending applications, if any, shall stand disposed of."

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

8. Accordingly, the petition is **disposed of** and it is provided that the applicants shall furnish personal bonds for Rs.50,000/- each and the same personal bonds shall hold good for all three cases. There shall be two sureties each who shall execute the bonds for Rs.50,000/- each which bonds shall hold good for all the three cases. It is clarified that the personal bonds so executed by the applicants and the bonds so executed by the two sureties each shall hold good for all three cases. If this is done, the said personal bonds and sureties may be treated to be valid in all other cases wherein they have been released on bail and the same shall be

deemed to be adequate compliance of all other bail orders.

June 23, 2026

Ashutosh

(Devendra Singh-I,J.)