



2026:AHC:124266

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 18068 of 2026

Raja @ Shareef

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Irshad Ahmad
Counsel for Opposite Party(s)	:	G.A.

Court No. - 33

HON'BLE NAND PRABHA SHUKLA, J.

1. Heard Sri Irshad Ahmad, learned counsel for the applicant, learned A.G.A. for the State and perused the record.

2. The present application under section 528 BNSS has been filed with a prayer to allow this application and direct the learned court below to permit the applicant to execute one personal bond and two sureties each in the like amount to the satisfaction of the court below and the same bond/sureties would hold good for all four cases as in Case Crime No.57/2025 under section 303(2) BNS, Police Station Sisamau, District Kanpur Nagar, In Case Crime No.66/2025 under section 303(2) BNS, Police Station Sisamau, District Kanpur Nagar, In Case Crime No. 96/2025 under section 303(2) BNS., Police Station Fajalganj, District Kanpur Nagar, In Case Crime No.100/2025 under section 303(2) BNS, Police Station Fajalganj, District Kanpur Nagar.

3. Learned counsel for the applicant submitted that applicant was released on bail in 4 criminal cases and the Court below stated that in each case he should file two sureties and due to inability of the applicant to provide two sureties each in four cases, he is still languishing in jail although he has released on bail in all four cases. Therefore, it is desirable to direct the Court below to accept the only two sureties for four criminal cases in which applicant has been released on bail. He further submitted that if such order is not given, then applicant will not come out from jail and bail orders granted in favour of the applicant earlier will become redundant. The bail orders of the applicant dated 09.04.2026, 09.04.2026, 13.04.2026 and 13.04.2026 are

annexed as Annexure No.2 to this application.

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

5. 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."

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

7. Accordingly, the application is disposed of and it is provided that the applicant shall furnish a personal bond for Rs. 25,000/- and the same personal bond shall hold good for all four cases. There shall be one surety who shall execute the bond for Rs. 25,000/- which bond shall hold good for all the four cases. It is clarified that the personal bond so executed by the applicant and the bond so executed by the one surety shall hold good for all four cases. If this is done, the said personal bond and surety may be treated to be valid in all other cases wherein he has been released on bail and the same shall be deemed to be adequate compliance of all other bail orders.

June 1, 2026
Puspendra

(Nand Prabha Shukla,J.)