

**Hani Nishad @ Mohammad Imran @ Vikky v. The State of Uttar Pradesh 2018
PLRonline 1304**

Constitution of India, 1950, Article 136 - CrPC S. 482 - Over 30 criminal cases - Bail order imposed onerous condition of producing individual sureties, one in each of the over 30 cases - Modified to petitioner shall execute a single personal bond and the same bond shall hold good for all the cases and also two sureties which bond shall hold good for all the over 30 cases.

2018 PLRonline 1304

[Full Judgment with detailed headnotes for Premium Subscribers \(opens automatically\)](#)

2018 PLRonline 1304

SUPREME COURT OF INDIA

Before: Justice R. Banumathi and Justice Indira Banerjee.

Hani Nishad @ Mohammad Imran @ Vikky – Petitioners

Versus

The State of Uttar Pradesh – Respondents

Petition for Special Leave to Appeal (Crl.) Nos. 8914-8915 of 2018.

29.10.2018.

Constitution of India, 1950, Article 136 - Criminal Procedure Code, 1973 Section 482 - 31 criminal cases - Bail order imposed onerous condition of producing 31 sureties, one in each case - Modified to petitioner shall execute a personal bond for Rs. 30,000/- 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. [Para 8]

For the Petitioners :- Anurag Kishore, Abhishek Chaudhary, Sarva Nand Dubey, Vaidruti Mishra. For the Respondents :- Ms. Aishwarya Bhatti, Kamendra Mishra, Rajeev Kumar Dubey.

ORDER

Heard learned counsel for the parties.

2. The petitioner is said to have been involved in 31 criminal cases for various offences.
3. 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.

4. The petitioner moved the High Court under section 482 of the Criminal Procedure Code, 1973 contending that it was impossible for the petitioner to arrange 62 sureties.

5. 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.

6. 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.

7. 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.

8. 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.

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

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