
(1998) 05 AHC CK 0076

In the Allahabad High Court

Case No : Criminal Miscellaneous Application No. 1614 of 1998

Nisar and Ors.

APPELLANT

Vs

State of U.P.

RESPONDENT

Date of Decision : 19-05-1998

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 439

Citation : (1998) 05 AHC CK 0076

Hon'ble Judges : Bhagwan Din, J

Final Decision : Allowed

Judgement

Bhagwan Din, J.—Heard Sri Anurag Pathak learned Counsel appearing for the applicants.

2. Evidently, the applicants were granted bail in Crime Case No. 153 of 1996, under Section 198A(2) of U.P.Z.A. and L.R. Act. by the A.CJ.M, Roorkee. After completing the investigation, the Investigating Officer submitted the chargesheet under Section 198A(2) of U.P.Z.A. and L.R. Act and S.C.S.T, Act.

3. By means of this petition the applicants pray for a direction to the Court concerned to the effect that they may be released on furnishing fresh bail bonds on the same day.

4. It is now well settled that once the accused had been granted bail in a criminal case, he need not to file fresh bail application for grant of bail under an added section which though seems to be graver than the offence under which he has been granted bail that he is required to furnish bail bonds under the added section. I, therefore, allow the petition with the direction to the court concerned to permit the applicants to furnish personal bonds and surety bonds without requiring them to move fresh bail application.