

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Criminal Petition No.1440 of 2015

ORDER:

Petitioner/A2 seeks bail under Sections 437 and 439 r/w 167(2) Cr.P.C. It is a renewed bail application. His earlier bail application in CrI.P.No.12858 of 2014 was dismissed by a learned Judge of this Court as per order dated 12.12.2014 observing that A2 allegedly played specific role during the course of incident and specific overt acts were attributed against him for his crucial role in the commission of offence and charge sheet was also filed against him for the offence committed.

Heard.

2) Bail is pleaded mainly on the submission that petitioner/A2 has been languishing in jail since more than 300 days and entire investigation was completed and charge sheet was also filed and no useful purpose will be served by keeping him in jail.

3) Learned Public Prosecutor vehemently opposed the petition and submitted that A1 in this case was involved in five murder cases and each time he was enlarged on bail, he came out and used to commit offence with the assistance of his henchmen and in the present instance, also he committed murder with the assistance of A2 and others and there is a threat for witnesses in the hands of A1 and A2 and so, if either A1 or A2 is enlarged on bail, they will cause harm to the witnesses and further there is also a threat for A1 and A2 from their opponents and enemies and in these circumstances bail may not be

granted to petitioner/A2.

4) As can be seen from the record the bail application of petitioner/A2 was dismissed recently and there are no changed circumstances thereafter. Added to it, this Court finds force in the apprehension of learned Public Prosecutor to the effect that there is a threat to the witnesses in the hands of A1 and A2 and also threat for A1 and A2 from their enemies. Therefore, it is not a fit case to grant bail to petitioner/A2.

5) Accordingly, the bail application is dismissed.

U. DURGA PRASAD RAO, J

Date: 13.03.2015

Murthy