

Crl.O.P.No.24610 of 2016R.MALA,J.

The petitioner who is arrayed as A1, apprehends arrest at the hands of the respondent police for the alleged offence punishable u/s.294[b], 323, 379 [NP] IPC in Crime No.615/2016 on the file of the respondent police and hence, prays for anticipatory bail.

2 The case of the prosecution is that due to wordy quarrel, the petitioner along with other accused, on the fateful day of occurrence, i.e., on 28.10.2016 at about 22.00 hours, attacked the defacto complainant with sticks, resulting in the registration of the case.

3 The learned counsel for the petitioner would submit that the occurrence took place on 28.10.2016 whereas the complaint was preferred only on 30.10.2016, after a delay of two days. It is further submitted that the injured has been discharged from the hospital and hence, prays for anticipatory bail.

R.MALA, J.,

AP

4 Resisting the same, the learned Government Advocate [Crl.Side] would submit that the injured is still in hospital and the investigation is in progress.

5 Considering the rival submissions made on either side and also perusing the typed set of papers, though it is seen that though the occurrence has taken place on 28.10.2016, the case was registered only on 30.10.2016 with a delay of two days and that the injured is still in hospital and is yet to be discharged. Even though the offence is u/s.323 IPC, considering the fact that the injured is not yet discharged, this Court is not inclined to grant anticipatory bail to the petitioner.

6 Accordingly, the Criminal Original Petition is dismissed.

16.11.2016

AP

Crl.OP.No.24610/2016

<http://www.judis.nic.in>