

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13924 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

2. The present Criminal Petition came to be filed by the petitioner/A.7 under Section 438 Cr.P.C., seeking release in the event of his arrest in Crime No.122 of 2016 of Mangalhat Police Station, Hyderabad, registered against him and others for the offences punishable under Sections 148, 307, 341, 332, 506 read with 149 IPC and 50A of the A.P. Excise Act.

3. The case of the prosecution is as follows.

On 27.05.2016 at about 5.10 PM, L.W.1, who is Excise official, went to house of A.1 while A.1, A.2, A.7 and their family members were present, and asked him to come to Excise Station for binding him before the Special Executive Magistrate as he is involved in cases. On that, they picked up a quarrel with him, abused and threatened him not to come to their house, otherwise they would see his end. L.W.1 came to Excise Station and informed about the incident to the Station House Officer. Thereafter, the excise officials L.Ws.1 to 5 proceeded to Indira Nagar, Mangalhat for conducting raid on the house of Smt. Shoba, who was in possession of ID liquor.

As the excise officials were frequently visiting house of A.1, A.2 and A.7 and booking cases against them, A.1 and A.2, in order to teach a lesson to the officials, contacted their cousins A.3, A.4, A.5 and A.6, who later came to their house. In a discussion, A.3 to A.6 agreed to assist A.1 and A.2 in this regard.

Mean while, L.Ws.1 to 5 raided house of Smt. Shoba in Indira Nagar, and seized ID liquor, and at about 5.35 PM, while they were getting ready to return from her house, A.1 to A.6 obstructed them, A.1 and A.2 picked up quarrel with them and threatened them in filthy language, A.3 to A.6 took stones from road side and got ready to attack and A.1 and A.2 took boulders and threw on the officials to kill them. But, the officials escaped and tried to catch the accused. Immediately, A.1 to A.6 started pelting stones on the officials. Thereafter, A.1 to A.6 and A.8 escaped from the spot. Basing on these allegations, the present case came to be registered.

4. The learned counsel for the petitioner mainly submits that all the other A.1 to A.6 were released on bail and A.5 was granted anticipatory bail by the learned Sessions Judge and the petitioner stands on the same footing as that of the other accused. That being so, the petitioner is at liberty to surrender before the Court concerned within a period of 10 days from today and move an application for grant of regular bail after giving prior notice to the Public Prosecutor concerned, in which event, the Court concerned shall consider the bail on the same day in accordance with law.

5. Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

Date: 26.09.2016

DRK

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26.09.2016

DRK