

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION No.15471 OF 2016

ORDER:

Vide the present petition, the petitioner/A.1 seeks a direction thereby enlarging him on bail in connection with Crime No.232 of 2016 of Kachiguda P.S., Hyderabad registered for the offence punishable under Section 302 read with 34 of IPC and Section 27 of Indian Arms Act, 1959.

Heard the learned counsel appearing on behalf of the petitioner/A.1 and the learned Additional Public Prosecutor appearing on behalf of the respondent-State.

Learned counsel appearing on behalf of the petitioner/A.1 submits that the investigation is completed and the charge sheet has been filed. Thereafter, the petitioner moved application in CrI.M.P.No.2830 of 2016 before the Metropolitan Sessions Judge, Hyderabad and the same was dismissed vide order dated 03.10.2016.

On a perusal of the said order, I am of the view that learned judge has not recorded any reason, however, only recorded the submission of the prosecution and dismissed the bail application by unreasoned order.

Keeping in view the averments made in the instant petition and the submissions of the learned counsel for the petitioner, the court below is directed to decide the application of the petitioner afresh on merit and pass afresh order. Consequently, the order dated 03.10.2016 is hereby set aside.

It is made clear that liberty is given to the petitioner to move afresh application before the same judge, who shall decide the same after hearing the petitioner by reasoned order.

With the above direction, the Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE SURESH KUMAR KAIT.

Date :08-11-2016

Gvl

