

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.10385 of 2016

ORDER

The petitioners, who are A.1 and A.2, filed the present application under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in crime No.246 of 2016 of Mylardevpally, Cyberabad, registered for an offence punishable under Section 397 of Indian Penal Code and Section 25 (1) of Indian Arms Act.

Heard learned counsel for the petitioners as well as the learned Public Prosecutor appearing for the respondent-State.

The informant lodged a report stating that on 02.05.2016 when he was in his office i.e. Geo Sansar (Money Transaction) at about 9.00 a.m. some unknown persons came to his office and asked him to do transaction of Rs.500/- and thereafter, said person took out a gun from his waist and fired on his chest without any reason and fled away. Immediately, he was shifted to Maithri Hospital where he was treated and thereafter he was shifted to Global Hospital for better treatment. After due investigation into the report lodged by the informant, Police filed charge sheet against the petitioners.

Learned counsel for the petitioners submits that there is no material on record to connect the petitioners with the present crime and since all the material witnesses are examined, the request of the petitioners for grant of bail may be considered.

On the other hand, learned Public Prosecutor submits that the allegations leveled against the petitioners are grave in nature and if they are released on bail, there is every likelihood of avoiding the process of trial. Hence, he prayed to dismiss the Criminal Petition.

The averments in the report disclose that at the instigation of A.2, A.1 purchased a country made weapon in Utta Pradesh and on 02.05.2016 A.1 and A.2 went to the office of the informant where A.1 went

inside the office while A.2 was observing the movements outside. After doing a nominal transaction of Rs.500/-, A.1 took out the country made weapon from his waist and fired at the informant with an intention to kill him. The said incident was witnessed by LWs 2 to 4. When the informant tried to retaliate, the accused ran away.

Since the allegations leveled against the petitioners are grave in nature and since investigation is still pending, I am not inclined to grant bail to the petitioners at this stage.

Hence, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

25.07.2016

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