

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.9492 of 2016

ORDER:

This Criminal Petition, under Section 438 Cr.P.C., is filed by the petitioner-A1, seeking to grant anticipatory bail in PRC No.2 of 2016 on the file of VII Metropolitan Magistrate, Hayathnagar, L.B.Nagar, arising out of Crime No.250 of 2015 of Hayathnagar Police Station, Cyberabad, registered for the offences punishable under Sections 338 IPC and 3 & 5 of the Explosive Substance Act.

Heard and perused the material available on record.

The case of the prosecution is that while digging the underground water sump, adjacent to the house of the de facto complainant, the petitioner and other accused blasted the stones without taking any precautionary measures, due to which the stones ejected into a Kirana shop and hit two girls, aged about 13 and 15 years, respectively, due to which they sustained severe injuries.

Learned counsel for the petitioner submitted that the petitioner is no way concerned with the offences alleged against him and that after completion of investigation, police filed charge sheet against the petitioner and other accused, showing the petitioner as absconding, and hence, the Court below issued NBWs against the petitioner and the petitioner is ready to face the trial and hence, the NBWs may be recalled.

Considering the facts and circumstances of the case, this Court is inclined to pass the following order:

The petitioner is directed to surrender before the Court concerned, and file an application for recalling the NBW pending against him and on filing of such application, the Court concerned is directed to recall the NBW, on petitioner executing a personal bond for

a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum. Further, the petitioner is directed to appear before the Court concerned regularly.

Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions, if any, shall stand closed.

RAJA ELANGO, J

July 12, 2016.

KTL