

The Hon'ble Dr. Justice Shameem Akther

Criminal Petition No.10813 of 2017

Order:

This Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioner/accused No.13, seeking anticipatory bail in the event of his arrest in connection with Crime No.153 of 2017, on the file of Vikarabad Police Station, Ranga Reddy District, registered for the offences punishable under Sections 341, 302, 120 (B), 212 r/w 149 IPC.

Heard the learned Counsel for the petitioner, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

The learned Counsel for the petitioner would submit that accused No.14 was granted anticipatory bail; there are no direct witnesses to the alleged offence; there is no participation of this petitioner in the commission of offence; there are 10 accused as per the first information report; the name of this petitioner is not found therein; and ultimately, prayed to allow this Criminal Petition.

As per the material placed on record, the petitioner along with other accused hatched a plan to eliminate one

Krishna Reddy (deceased) due to land disputes and other differences, in furtherance of which, on 05.07.2017, A.1 and A.2 followed the deceased, who was going on his motor cycle, in a passenger auto bearing No.TS 34 T 1616, dashed him with the said auto and when the deceased fell down, accused Nos.1 and 2 attacked the deceased with iron rods *etc.*, and ultimately caused his death. During the course of investigation, it has come to light that there is conspiracy by this petitioner and others including accused No.5 to cause the murder of the deceased.

It is brought to the notice of this Court that the anticipatory bail applications of accused No.5 were dismissed by this Court *vide* Orders, dated 11-10-2017 and 10-11-2017, in Crl.P.No.9252 of 2017 and 10624 of 2017 respectively.

The learned Counsel for the petitioner would submit that accused No.14 was granted anticipatory bail.

From the prosecution case, it appears that accused No.14 has provided shelter to the accused. The allegations against accused No.14 and the petitioner herein are distinct. The gravity of offence is high and the punishment may extend to imprisonment for life or death. The release of the petitioner would hinder the investigation and there are

chances of winning over the witnesses. Therefore, it is not a fit case to grant anticipatory bail to the petitioner.

Hence, the Criminal Petition is dismissed.

(Dr.Shameem Akther, J)

Dated: 15-11-2017
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