

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11285 OF 2017

ORDER:

This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner-A1 for the offences alleged under Sections 307 and 324 IPC.

2. Heard learned counsel for the petitioner-A1, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner-A1 would submit that the petitioner-A1 is innocent person and falsely implicated in this case. F.I.R. was issued under Section 324 IPC only. Later, the Section of law was altered to 307 IPC. Due to land disputes, the petitioner-A1 is implicated in this case.

4. On the other hand, learned Additional Public Prosecutor opposed the grant of bail to the petitioner-A1.

5. The material placed on record reveals that on 24.09.2017, the petitioner-A1 along with other persons have indiscriminately beat the de facto complainant and caused multiple injuries. It is also on record that land dispute is the motive for this commission of the alleged offence. There are specific overt-acts against the petitioner-A1. Therefore, it cannot be said that the petitioner-A1 is innocent person and as such, this is not a fit case to allow the petition under Section 438 Cr.P.C.

6. Accordingly, the Criminal Petition is dismissed.

DR.SHAMEEM AKTHER, J

DATED: 27-11-2017

Hsd