

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.418 of 2018

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioner, who is A5, in Crime No.244 of 2017 on the file of the Station House Officer, Razole Police Station, East Godavari District. The offences alleged are under Sections 120(b) r/w 364(n), 384, 5906, 399, 342 IPC.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the respondent.

3. The counsel for the petitioner submits that A1, A2, and A3 were granted regular bail in this case.

4. The Public Prosecutor brings to the notice of this court the earlier dismissal of the similar petition filed by this petitioner by virtue of orders in CrI.P.No.11704 of 2017, dated 18.12.2017, wherein this court, after considering the facts of the case elaborately, came to a conclusion that it is a matter of investigation with regard to the complicity of A5. It was also observed that there is every possibility of disappearance of the material witness and winning over the witnesses. He further submits that though the entire investigation is completed, recovery of the weapon from this petitioner is still due.

5. In view of the above, this court opines that this is not a fit case for grant of anticipatory bail.

6. With the above observations, the Criminal Petition is dismissed. However, the petitioner can file a petition seeking for regular bail by surrendering himself before the court below. The court below shall dispose of the bail application, if any filed, expeditiously, preferably on the same day, subject to the pressure of other work.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

January 30, 2018
LMV

T. RAJANI, J

