

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.4114 of 2018

ORDER :

No doubt, as pointed out by the learned counsel for the petitioner/accused No.6, accused Nos.1, 2 and 5 were granted anticipatory bail way back, by order dated 30.11.2017, in CrI.M.P.No.1386 of 2017 in this Crime No.391 of 2017 of Choutuppal Police Station, for the offences punishable under Sections 120(B), 452 and 307 read with 34 IPC. It is also the submission that accused Nos.3 and 4 were surrendered and obtained regular bail. It is the contention that the petitioner is not at all involved and if at all there is any complicity, mainly of accused No.3 and 4 if not of accused Nos.1 and 2, and even from the very remand report, there is only one attack causing head injury with beer bottle without even mentioning who involved and the petitioner is entitled to the concession of anticipatory bail.

2. The learned Public Prosecutor opposed the bail application saying it is a serious crime and section of law is altered from 324 IPC to 307 IPC in the course of investigation from seriousness of the head injury caused with a deadly or dangerous weapon and the investigation is in progress.

3. Even a perusal of the so-called anticipatory bail order granted by the learned Sessions Judge in CrI.M.P.No.1386 of 2017, no way mentions in the cryptic order as to how the accused Nos.1, 2 and 5

among seven accused having equal role of participation in the attack are entitled to the concession of anticipatory bail. Thus, the same cannot be taken into consideration to grant equal concession to the petitioner therefrom.

4. Accordingly, the criminal petition is dismissed. Remedy is left open to the petitioner/accused no.6 to surrender and move for regular bail.

Miscellaneous petitions pending, if any, shall stand closed.

6th June 2018.

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Dr. B. SIVA SANKARA RAO, J

