

HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.5986 OF 2018

ORDER:

The petitioner is accused No.3, among 6 or more accused, of Crime No.84 of 2018 of Mandamarri P.S. of Mancherial District, registered for the offences punishable under Sections 143, 147, 148 and 307 R/w.149 of I.P.C. He is seeking anticipatory bail contending that he is innocent, falsely implicated, and there is nothing to attribute any specific overt acts against any of the victim by him, and he is entitled to the concession of anticipatory bail, being a student.

Learned Public Prosecutor opposed the anticipatory bail application saying from the propensity of the crime in the manner in which it perpetrated defecting from the very report, and de-facto complainant sustained as many as four injuries of which two are abrasions and one is associated by fracture of the lower limb from the x-ray and radiology report, and admitted as in-patient on 14.05.2018, does not deserve the concession of anticipatory bail.

Heard, perused.

The petitioner went un-successful in Crl.M.P. No.508 of 2018 by order dated 07.06.2018 before the learned V Additional Sessions Judge, Adilabad, saying there are specific allegations even against him, and the investigation is in progress, and does not deserve concession of anticipatory bail.

The F.I.R. speaks the attack by all persons with intent to kill. Even taken the submission of learned counsel for the petitioner that if the accused persons having any intention to kill for more than five or six and

the de-facto complainant was at their mercy, he could not be left with those injuries. However, even taken, there is no offence under Section 307 I.P.C. made out from said submission. Once there is a grievous hurt, which is also a serious offence under Section 326 I.P.C., if not under Section 325 I.P.C., the petitioner is not entitled to the concession of anticipatory bail. However, it will not prejudice any of his right from changed circumstances to get regular bail.

Accordingly, with the above observations, the Criminal Petition is dismissed.

In consequence, miscellaneous petitions pending, if any, shall stand dismissed.

Date: 09.07.2018.
Dsh

Dr. B.SIVA SANKARA RAO, J



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