

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Criminal Petition No.8988 of 2018

ORDER :

The petitioner is A.2 among 4 or more accused of Cr.No.66 of 2018 of Miryalaguda Rural Police Station, Nalgonda District, registered for the offences punishable under Sections 307 and 506 read with 34 IPC on the report of the defacto-complainant, no other than brother of the victim which shows that there were disputes between A.1-Srinivas Yadav Chimata, the fish tanks Contractor and the victim with regard to fishing. While so on 09.08.2018 night at about 10P.M., A.1 along with his friend- the petitioner/A.2 called M.Naresh Kumar (victim) to bodrai and compelled him to compromise in the previous cases but on his refusal, they abused as they kill him and attacked with beer bottles indiscriminately by causing several bleeding injuries and was immediately shifted to area hospital Miryalaguda.

On perusal of the contentions in the bail application in seeking anticipatory bail are that the petitioner is innocent and falsely implicated and there is no intention on the part of the accused to attract the ingredients of Section 307 IPC but for at best section 324 and it is only to avoid the following Section 41-A CrPC, police added the offence under Section 307IPC in very registration of the Crime and the petitioner is entitled to concession of anticipatory bail for not a case of fleeing away from justice and he is ready to abide by necessary conditions if imposed by the Court.

The learned Public Prosecutor opposed the same with reference to the Case Diary showing the A.1 and A.2 armed with a beer bottle attacked the victim and it is after the victim lost consciousness from their attack, they left.

Having regard to the above, the Criminal Petition is dismissed.
Consequently, miscellaneous petitions, if any, pending in this Criminal
Petition, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:05.09.2018
b/o.
Vvr

