

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.13657 OF 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C), is filed by the petitioner/A.3, for grant of anticipatory bail in the event of his arrest in connection with Crime No.41 of 2018 of Anakapalli (R) Police Station, Visakhapatnam District, registered for the offence punishable under Section 307 read with 34 IPC.

2. Heard learned counsel for the petitioner/A.3, the learned Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner/A.3 would submit that the petitioner/A.3 is an innocent person and falsely implicated in this case; that the petitioner is nothing to do with the alleged offence and ultimately prayed to allow the application.

4. Learned Additional Public Prosecutor appearing for the respondent-State opposed the grant of bail to the petitioner/A.3.

5. The material placed on record reveals that on 22.03.2018 during night hours, this petitioner/A.3 along with other accused in this case, went and caused bleeding injury to the *de facto* complainant. The name of petitioner is also found in the First Information Report. Therefore, it cannot be held at this juncture that the petitioner/A.3 is falsely implicated in this case. The allegations are grave. The laceration injury measuring 10 x 2 cm, sustained by the *de facto* complainant is also serious in nature.

Under these circumstances, the petitioner/A.3 is not entitled for bail under Section 438 Cr.P.C.

6. Hence, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this petition shall stand closed.

DR.JUSTICE SHAMEEM AKTHER

DECEMBER 27, 2018
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Date: 27.12.2018

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