

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.487 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.1, for grant of anticipatory bail in Crime No.74 of 2018 of Madnoor Police Station, Bodhan, Nizamabad District, registered for the offences punishable under Section 307 read with 34 of IPC.

2. Heard the learned counsel for the petitioner/A.1, the learned Additional Public Prosecutor representing the respondent/State and perused the record.

3. Learned counsel for the petitioner/A.1 would contend that the petitioner did not ask for any lift. He has nothing to do with the allegations made in the FIR and ultimately prayed to allow the petition.

4. Learned Additional Public Prosecutor representing the respondent/State opposed the grant of bail to the petitioner/A.1.

5. The material placed on record reveals that on 04.07.2018 around 7.00 p.m., when Md.Mohiuddin was returning home after completion of his business work, the petitioner/A.1 and other accused in this case stopped his motorcycle and demanded for lift. Md.Mohiuddin provided lift to A.1 and A.2. When they reached the place between Shakkarga road and MH Border petrol pump at around 7.30 p.m., A.1 took out a sharp knife and stabbed three times in the stomach of Mohiuddin. When L.W.2 made an attempt to caught hold the hand of petitioner/A.1, A.2 stabbed L.W.2 two times on his shoulder. A.2 and A.3 were arrested and remanded to judicial

custody. There are specific and grave allegations of petitioner's participation in the commission of offence. The very motive for the offence is to kill the victim and run away with his belongings. Under these circumstances, it cannot be said that the petitioner/A.1 is falsely implicated in this case and he has nothing to do with the subject crime. The petition is devoid of merit and is liable to be dismissed.

6. The Criminal Petition is, accordingly, dismissed.

DR. SHAMEEM AKTHER, J

Date: 07.02.2019
ssp