

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8429 of 2021

O R D E R:

This Criminal Petition under Sections 438 Cr.P.C. is filed by petitioners – Accused Nos. 2, 5, 6 and 7 seeking bail in the event of their arrest in connection with Crime No. 257 of 2021 of Mulugu Police Station registered for the offence punishable under Section 306 read with Section 34 IPC.

2. Learned Senior Counsel Sri C. Daamodhar Reddy appearing for the petitioners submits that the petitioners are Accused Nos. 2, 5, 6 and 7 who are alleged to have committed offence punishable under Section 306 read with Section 34 IPC. Petitioner No.1 is mother of Accused No.1, petitioner No.2 is sister-in-law of Accused No.1 and petitioners No. 6 and 7 are no way concerned with the Accused No.1. It is submitted that though names of petitioners are mentioned in the statements, there is no whisper about them. It is submitted that Accused No.1 was already granted bail by the Court below, but the bail application filed in respect of these petitioners was dismissed. Learned Senior Counsel submits that Section 306 IPC. has no application to petitioners as they have not instigated Accused No.1 to commit the alleged offence, therefore, he prays to grant bail.

3. On the other hand, learned Assistant Public Prosecutor submits that there are specific allegations against petitioners and as investigation is pending, they are not entitled for pre-arrest bail.

4. Taking into consideration the fact that Accused No.1 is already released on bail, this Court deems it appropriate to grant bail to petitioners.

5. The Criminal Petition is therefore, allowed. The petitioners - Accused Nos. 2, 5, 6 and 7 shall be enlarged on bail in the event of their arrest in connection with Crime No. 257 of 2021 of Mulugu Police Station on each of them executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the Station House Officer, Mulugu Police Station.

LALITHA KANNEGANTI, J

23rd November 2021

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