

**HON'BLE SMT. JUSTICE LALITHA KANNEGANTI**

**CRIMINAL PETITION No.348 of 2022**

**O R D E R:**

This Criminal Petition under Sections 437 and 439 of Cr.P.C., is filed by petitioner – Accused in connection with Crime No.337 of 2021 of Mangalhat Police Station, registered for the offence punishable under Section 307 of the Indian Penal Code, 1860 (for short “IPC”), seeking bail.

2. A report was lodged by the *de facto* complainant on 15.12.2021 stating that his friend Bhanu Prakash Sharma (injured) had love affair with one Divya and later both of them got separated and said Divya married the petitioner herein and Bhanu Prakash also got married to another girl. On 15.12.2021 at 6.00 p.m. he along with his friend Bhanu Praksah Sharma and his friend stopped his bike in a lane of Indira Nagar Area, Mangalhat and went to the house of Divya for discussion. After few minutes, his friend came by running with bleeding injuries and asked him to take him to hospital. On enquire, his friend informed him that when he was talking with Divya, her husband and in-laws picked up quarrel and the petitioner stabbed his friend with a piece of mirror on his abdomen. Basing on the said report, the above crime was registered.

3. Heard Sri M.A.Mujeeb, learned counsel for petitioner and learned Assistant Public Prosecutor appearing on behalf of respondent-State.

4. Learned counsel for petitioner submits that the petitioner is alleged to have committed the offence under Section 307 of IPC.

He submits that even as per the complaint, there was no motive for the petitioner to commit the offence and in that process, petitioner also sustained injuries. He submits that petitioner was arrested and remanded on 16.12.2021 and from the last one month, he is languishing in jail. It is submitted that the petitioner has no criminal antecedents. Hence, his case may be considered for grant of bail.

5. *Per contra*, learned Assistant Public Prosecutor submits that the petitioner has also received injuries and as the investigation is pending, petitioner is not entitled for bail.

6. Taking into consideration the fact that petitioner is languishing in jail from 16.12.2021 and further, the prosecution could not place any material on record to show that if the petitioner is enlarged on bail, there is any likelihood of influencing the witnesses or tampering with evidence, this Court deems it appropriate to grant bail to the petitioner.

7. In the result, criminal petition is allowed and the petitioner/ Accused shall be enlarged on bail in connection with Crime No.337 of 2021 of Mangalhat Police Station on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum to the satisfaction of learned XVI Additional Chief Metropolitan Magistrate, Hyderabad.

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**LALITHA KANNEGANTI, J**

19<sup>th</sup> January, 2022

PVD

**THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI**

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19.01.2022

PVD