

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.1832 OF 2022

ORDER:-

This petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/A.11 in connection with Crime No.6 of 2022 of L.B.Nagar Police Station, Rachakonda Commissionerate, wherein the petitioner is alleged to have committed the offences punishable under Sections 302, 307, 352, 147, 148 and 504 read with 149 of the Indian Penal Code, 1860 (for short 'IPC').

2. A report was lodged by the *de facto* complainant on 02.01.2022 stating that on 01.01.2022 his brother Narimha Reddy left home in the afternoon hours stating that he would meet his friends to celebrate his birthday. On the same date at about 2242 hours, a friend of his brother, by name Mohd. Ghouse, made a phone call to him and informed that behind KK Garden, his brother, Mohd. Ghouse and others were consuming liquor and some persons came over there and picked up quarrel and manhandled them and Mohd. Ghouse was hurt and he escaped from the spot and reached to the defence colony and his brother was also beaten up the assailants and

he fell down at the spot and asked him to rush over there. He went to the Defence colony along with Dinesh and found Ghouse with bleeding injuries and his brother was found lying on the ground behind KK Garden and were taken to Diya Hospital. Basing on the said report, the present crime is registered.

3. Heard Mr.M.Laxman Rao, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that the petitioner was arrayed as A.11. He submits that in the remand report, the allegation against the petitioner is that one Raghavender made a call to him and informed that Tilak and his gang is planning to beat A.1, who is brother of A.2. Further, it is also stated in the remand report that A.7, A.6, A.9, A.10, A.12, A.13, A.16 and the petitioner/A.11 were colluded and beaten indiscriminately with stones and sticks. He further submits that the Court below, by orders dated 04.03.2022, granted bail to A.12, A.17, A.14 and A.19 and the petitioner is similarly situated. Learned counsel placed on record the orders passed by the Court below in Crl.M.P.Nos.452, 553 and 559 of 2022 and he prayed to release the petitioner on bail.

5. On the other hand, learned Assistant Public Prosecutor submits that investigation is pending and so far 14 witnesses were examined. He submits that A.5, A.8 and A.9 are absconding. Hence, the petitioner is not entitled for bail.

6. Taking into consideration the allegation in the remanded report and A.12, A.17, A.14 and A.19 were already granted bail by the Court below, this Court deems it appropriate to grant bail to the petitioner/A.11.

7. Accordingly, this Criminal Petition is allowed and the petitioner/A.11 shall be enlarged on bail on his 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 II Additional Metropolitan Magistrate, L.B.Nagar, on the same conditions imposed by the Court below in Crl.M.P.Nos.452, 553 and 559 of 2022, dated 04.03.2022.

Miscellaneous applications, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :08.03.2022
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