

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.3801 OF 2022****ORDER:**

This criminal 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/Accused No.2 in connection with crime No.109 of 2022 on the file of Station House Officer, Chaitanyapuri Police Station, Rachakonda, wherein the petitioner/Accused No.2 is alleged to have committed the offence punishable under Section 304 of Indian Penal Code.

2. Heard the learned counsel for the petitioner/Accused No.2 and the learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The petitioner is arrayed as Accused No.2 for the crime registered under Section 304 of Indian Penal Code.

4. On 20.02.2022 a complaint was filed by the wife of the deceased saying that the deceased was sleeping in his room and did not wake up, for which reason the mother of the deceased broke open the door and found the deceased was in unconscious state,

she called one known doctor, who came and declared his death. Upon investigation it was found that Accused Nos.1 to 3 who are close friends of the deceased had invited the deceased on 14.02.2022 for consuming alcohol, however, the deceased refused. Again it is alleged that a phone call was made wherein the Accused No.1 who is the brother-in-law of the deceased had called the deceased to come to a certain location, where Accused Nos.1 to 3 alleged to have beaten the deceased. It is further the case that, on 17.02.2022 the deceased was taken to the hospital and on 18.02.2022 the deceased was also visited the Moonlight bar and consumed alcohol. However, he was found dead on 20.02.2022. The facts narrated above are known on the basis of the confession of the Accused. However, keeping in view that from 14th to 20th the deceased had visited doctor and went to a bar, it is for the investigation to prove the complicity of this petitioner/Accused No.2 and the way in which the incident took place.

5. In the said circumstances, the petitioner/Accused No.2 is in jail since 28.03.2022, the petitioner/Accused No.2 can be granted bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.2 is granted bail subject to the following conditions:

- i) The petitioner/Accused No.2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the VI Additional Metropolitan Magistrate, Ranga Reddy District at L.B.Nagar.
- ii) The petitioner/Accused No.2 shall appear before the Station House Officer, Chaitanyapuri Police Station, on every Sunday and Wednesday between 10.00 a.m. and 1.00 p.m. for a period of three (03) months.
- iii) The petitioner/Accused No.2 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 28.04.2022
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