

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6736 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 who is arrayed as Accused No.3 in Crime No.71 of 2022 on the file of Station House Officer, Nandipet Police Station, Nizamabad District registered for the offences punishable under Sections 307 and 326 read with Section 115 read with Section 120(B) of Indian Penal Code and Section 25(1)(B) of Indian Arms Act.

2. Heard learned counsel for the petitioner/Accused No.3, learned counsel for *de facto* complainant and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case against this petitioner is that he is the husband of Village surpanch. He is hiring goons to attack anybody who obstructed him or comes in his way in any manner, accordingly, the petitioner with the help of Accused Nos.1 and 2 tried to kill LW2.

4. Learned counsel for the petitioner submits that there are no injuries which are received by LW2.
5. Learned counsel appearing for the *de facto* complainant would submit that this petitioner was earlier involved in a case in Crime No.08 of 2022 and under similar circumstances he had hide persons to attack the *de facto* complainant therein.
6. Learned Assistant Public Prosecutor submits that bail cannot be granted to this petitioner.
7. As seen from the complaint, the petitioner had indulged in trying to attack the LW2 with the help of Accused Nos.1 and 2 and in a similar fashion he was involved in a case vide Crime No.08 of 2022, in which charge sheet is already filed under Sections 324 and 506 read with Section 34, 109 of IPC and Section 3(2)(va) of SC/ST (POA) Amendment Act-2015. Keeping in view that no injuries are received by anyone in the present case, the petitioner/Accused No.3 can be granted the relief of bail subject to conditions.
8. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.3 is granted bail subject to the following conditions:

- i) The petitioner/Accused No.3 shall execute personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for a like sum each to the satisfaction of First Class Magistrate at Armoor.
- ii) The petitioner/Accused No.3 shall appear before the concerned Station House Officer on every day at 09.00 AM for a period of six (06) weeks and thereafter as and when required.
- iii) The petitioner/Accused No.3 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: 04.08.2022
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