

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6903 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners who are arrayed as Accused Nos.6 to 7 in the event of their arrest in Crime No.100 of 2022 on the file of Station House Officer, Shahinayathgunj Police Station, Goshamahahal Division registered for the offences punishable under Sections 302, 324 and 120(B) read with Section 34 of Indian Penal Code and Section 25(1)(A) of Arms Act.

2. Heard learned counsel for petitioners/Accused Nos.6 and 7 and learned Assistant Public Prosecutor for respondent-State. Perused the record.

3. The Police Shahinayathgunj registered the present crime on the allegations that A1 to A5 entered into conspiracy to commit murder of the deceased for the reason of the deceased marrying their caste girl. The deceased did not belong to the caste of the girl. These petitioners were not arrayed as Accused in the FIR. However

in the remand report of Accused Nos.1, 4 and 5, these petitioners were shown as absconding.

3. In the said Remand Report it is stated that these petitioners made arrangement of alcohol to be consumed by Accused Nos.1 to 5. Thereafter, Accused Nos.1 to 5 left and committed the act of murder. Even according to the Police, the role attributed to the petitioners is that they have provided alcohol to the Accused Nos.1 to 5. In the said circumstances, these petitioners can be granted the relief of anticipatory bail.

4. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.6 and 7 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused Nos.6 and 7 are directed to surrender before the Station House Officer, Shahinayathgunj Police Station, Goshamahal Division on 21.09.2022 and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) each with two sureties to the like sum each, to its satisfaction.

ii) The petitioners/Accused Nos.6 and 7 shall appear before the concerned Station House Officer everyday i.e. from 21.09.2022 to 21.10.2022 at 10.00 AM and thereafter as and when required.

iii) The petitioners/Accused Nos.6 and 7 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 14.09.2022
ns/tu