

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.8212 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.5 in Crime No.170 of 2022 pending on the file of Station House Officer, Mulugu Police Station, Mulugu District registered for the offences punishable under Sections 302 and 120B read with Section 34 of Indian Penal Code.

2. Heard learned counsel for the petitioner/Accused No.5 and the learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The petitioner/Accused No.5 is the son of Accused No.1. The deceased was murdered on 01.08.2022. According to the prosecution Accused Nos.1 to 3 who allegedly conspired with Accused No.4 to murder the deceased by engaging supari killers who are Accused Nos.6, 8, 9, 11 and 12. In pursuance to the conspiracy, the said murder was committed by the accused on 01.08.2022.

4. The case against this petitioner is that he had paid the amount at the instance of his father to the other accused.

5. The said amounts were transferred subsequent to the murder committed by the accused. It is nowhere mentioned in the remand report that the petitioner had conspired to kill the accused or to engage the supari killers. The case is that the supari killers are Accused Nos.6, 8, 9, 11 and 12. Even according to the prosecution, the said amount was not sent to the supari killers and it is only mentioned that at the instance of his father/Accused No.1, he had transferred some amounts to accused No.15. For the said reasons, this petitioner can be granted the relief of regular bail who is a law student.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.5 is granted bail subject to the following conditions:

i) The petitioner/Accused No.5 is directed to be released on bail on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of Judicial First Class Magistrate at Mulugu District.

ii) After release on bail, the petitioner/Accused No.5 shall appear before the concerned Station House Officer on every Monday and Thursday between 10.00 A.M to 1.00 P.M, for a period of eight (08) weeks or until filing of charge sheet, whichever is earlier.

iii) The petitioner/Accused No.5 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: 28.09.2022
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