

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.273 of 2022

O R D E R:

This Criminal Petition under Sections 437 and 439 of Cr.P.C. is filed by petitioner – Accused No.4 seeking bail in connection with Crime No.118 of 2021 of Shankarampet Police Station, Medak District, registered for the offences punishable under Sections 302, 201, 379 r/w 34 of the Indian Penal Code, 1860 (for short “IPC”).

2. A report was lodged by the Panchayat Secretary of Arepally village on 24.11.2021 before Nizamsagar Police Station stating that he received information from the villagers that they found a dead body, which was wrapped in a gunny bag. Basing on the same, case in Crime No.133 of 2021 under Section 302, 201 of IPC. On 29.11.2021 one A.Chandrakala approached the police and claimed that she is the wife of deceased A.Raju. As per the call data of deceased it is revealed that deceased had illicit affair with A-2 and he used to visit the place of A-2 and also used to force her to visit his place and A-2 disclosed the same to her brother i.e. A-1. Thereafter A-1 to A-3 hatched a plan and called the deceased to their place and killed him brutally and packed his dead body in a gunny bag and called the petitioner who is auto driver and shifted the dead body and threw the same near Nizam Sagar Gate. Subsequently, the crime was transferred to Shankarampet Police Station, Medak District and renumbered as Crime No.118 of 2021 dated 15.12.2021.

3. Heard Sri S.Suman, learned counsel for petitioner and learned Assistant Public Prosecutor appearing on behalf of respondent-State.

4. Learned counsel for petitioner submits that petitioner is arrayed as A-4 and it is alleged the crime was registered for the offences under Sections 302, 201, 379 r/w 34 of IPC and as far as the petitioner is concerned, he is an auto driver and he has no knowledge about the offence and he is unconnected with the alleged offence. He submits that petitioner was arrested and remanded on 03.12.2021 and from the last 48 days, he is languishing in jail. He submits that being an auto driver, petitioner is sole bread winner of his family and he is ready to cooperate with investigation, as such his case may be considered for grant of bail.

5. *Per contra*, learned Assistant Public Prosecutor submits that investigation is pending, so far 9 witnesses were examined and at this stage, petitioner is not entitled for bail.

6. Taking into consideration the fact that allegation against the petitioner is only under Section 201 of IPC and from the last 48 days, he is languishing in jail, this Court deems it appropriate to grant bail to the petitioner.

7. In the result, criminal petition is allowed and the petitioner / A-4 shall be enlarged on bail in connection with Crime No.118 of 2021 of Shankarampet Police Station, Medak District on his executing a bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum to the satisfaction of learned Judicial First Class Magistrate, Jogipet.

LALITHA KANNEGANTI, J

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

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20.01.2022

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