



Crl.O.P.No.8856 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 302, 506(ii) r/w 34 of IPC, in Crime No.491 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 22.07.2022 at about 7.00 p.m, when the deceased and his brother Saleembasha came out from the mosque after completing their prayer, at that time, the petitioner along with other accused persons assaulted the defacto complainant with deadly weapons. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is arrayed as A10 since he had happens to be a friend of the other accused other than the alleged confession statement recorded from A9 there is no other material to implead the petitioner and thereby he would seek for anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that it is case on account of rivalry between two group the victim was murdered by the accused. He further submitted that the petitioner is a rowdy element against him there are nine previous cases. He further submits that the petitioner had sketched the entire operation and based on his instruction only the murder has been committed and the petitioner has got seven previous cases out of one registered under Section 302 IPC. He would further submit that custodial interrogation of the petitioner is very much required. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsel on either side and taking note of the fact that the custodial interrogation of the petitioner is very much essential, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

07.06.2023

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