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Crl.O.P.No.13106 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 19.05.2023, for the offences punishable under Sections 294(b), 323 & 307 IPC, in Crime No.179 of 2023, seeks bail.

2. The case of the prosecution is that due to the previous enmity, the accused had waylaid the *de facto* complainant, abused him in a filthy language and assaulted him with knife, due to which, he sustained injuries and ran away from the scene of occurrence. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner (A3) is an innocent person and he has been falsely implicated in this case, since he has got some previous cases. He further submitted that the petitioner is no way connected with the alleged



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offence, whereas, in order to keep the petitioner under fetters, the respondent had implicated the petitioner in this case. He further submitted that the petitioner is languishing in judicial custody from 19.05.2023 and also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that it is the case, where, due to the previous enmity, the petitioner (A3) along with other accused, had waylaid the de-facto complainant, abused him and assaulted him with knife. He also submitted that the petitioner is a habitual offender, against whom, 11 previous cases are pending. Therefore, he vehemently opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.



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6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on both sides, and also considering the fact that 11 previous cases are pending as against the petitioner, this Court is not inclined to grant bail to the petitioner for the present.

7. Accordingly, this Criminal Original Petition stands dismissed for the present.

14.06.2023

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14.6.2023