

**HON'BLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION No. 4129 OF 2023**

**ORDER:**

1. This Criminal Petition under Section 438 Cr.P.C. is filed by petitioners – Accused Nos.2 and 3 seeking bail in the event of their arrest in connection with Crime No.357 of 2022 on the file of Sircilla Town Police Station, Rajanna Sircilla District, registered for the offences punishable under Sections 294 (b), 307, 427 read with Section 34 of Indian Penal Code and Sections 3(1)(r)(s) and 3(2)(v) of SC/ST (POA) Act, 2015.

2. The case of the *defacto* complainant is that on 05.09.2022, accused No.1 tried to stab him with a knife, but he escaped. However, again accused No.1 stabbed and caused injury on stomach of the *defacto* complainant. Further, the accused No.1 hurled the stones and caused injury on the left thumb and middle finger of the *defacto* complainant and also abused him in his caste name. Further, it is alleged that on the same in the night hours, accused No.1 along with these petitioners went to the house of the *defacto* complainant and grabbed the cell phone of the brother of the *de facto* complainant and damaged it by hitting on the ground.

3. Heard the learned counsel on either side and perused the material placed on record.

4. Taking into consideration the facts and circumstances of the case, this Court deems it appropriate to grant relief of anticipatory bail to the petitioners/accused Nos.2 and 3 since the allegation of offence under Section 307 of Indian Penal Code are not made out against the petitioners.

5. Accordingly, this Criminal Petition is allowed on the following terms and conditions:

(i) The petitioners/accused Nos.2 and 3 are directed to surrender before the Station House Officer, Sircilla Police Station, Rajanna Sircilla District on 28.06.2023. On such surrender, they shall be enlarged on bail on their executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties to the like sum each to the satisfaction of concerned Station House Officer.

(ii) The petitioners/accused Nos.2 and 3 shall appear before the Station House Officer, Sircilla Police Station, Rajanna Sircilla District on every Monday at 10.00 a.m., for a period of eight weeks.

(iii) The petitioners/accused Nos.2 and 3 shall abide by the other conditions stipulated in Section 438 (2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

23.06.2022  
mmr/dua

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**K.SURENDER, J**

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