

THE HONOURABLE SRI JUSTICE A.SANTHOSH REDDY

CRIMINAL PETITION No.4280 OF 2023

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.4 in Crime No.170 of 2022 on the file of Station House Officer, Mulugu Police Station.

2. Heard Sri A.Prabhakar Rao, learned counsel for the petitioner-Accused No.4 as well as the learned counsel appearing for the *de facto* complainant and Additional Public Prosecutor who is representing the Respondent – State.

3. Learned counsel for the petitioner submits that as per the prosecution version, the petitioner and other accused have committed the offences punishable under Sections 302 and 120B read with Section 34 of Indian Penal Code. Learned counsel submits that the provisions do not attract against the petitioner. Learned counsel further submits that the case is committed to the Court of Sessions and numbered as S.C.No.08 of 2023 and accused Nos.5, 7, 10, 13 and 15 were already granted bail. Learned counsel further submits that the petitioner is innocent and he is ready to

abide by any conditions as imposed by this Court, therefore, he prayed to release the petitioner on bail.

4. Learned counsel representing the *de facto* complainant submits that she intends to file impleadment petition on behalf of the *de facto* complainant to implead the *de facto* complainant. Learned counsel submits that the petitioner-Accused No.4 should not be released on bail as he is likely to influence the witnesses directly or indirectly.

5. Learned Additional Public Prosecutor opposed the bail application.

6. Having regard to the submissions of the learned counsel for the petitioner and after considering the facts and circumstances of the case that the case is committed to the Court of Sessions and numbered as S.C.No.08 of 2023 and that accused Nos.5, 7, 10, 13 and 15 are on bail, I am inclined to release the petitioner – Accused No.4 on bail.

7. Accordingly, the Criminal Petition is allowed and the petitioner-Accused No.4 is granted bail subject to the following conditions:

i) The petitioner - Accused No.4 shall be enlarged on bail on his executing a personal bond for Rs.1,00,000/- (Rupees One Lakh only) each with two sureties for like-sum each to the satisfaction of the Court concerned. The sureties are directed to submit their two latest passport size photographs at the time of furnishing solvency. One such photograph is ordered to be pasted in the Surety Register against the name of the surety. The other photograph shall be kept in the case record concerned.

ii) The petitioner – Accused No.4 shall remain at Warangal till conclusion of trial proceedings. He shall report before the Station House Officer, Hanamkonda, on every Monday, between 10.30 AM and 12.00 PM till completion of trial proceedings.

iii) The petitioner – Accused No.4 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE A.SANTHOSH REDDY

Date: 04.05.2023
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