

THE HONOURABLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION No.5574 OF 2023

ORDER:

1. This Criminal Petition is filed seeking to grant regular bail under Sections 437 and 439 of Criminal Procedure Code, 1973 (Cr.P.C). The petitioner is accused No.14 in S.C.No.5 of 2021 on the file of IX Additional District and Sessions Judge (FTC), Ranga Reddy District at L.B.Nagar, in connection with Crime No.592 of 2020 of Gachibowli Police Station, Cyberabad. The offences alleged against the petitioner are under Section 120-B (1), 302, 364, 379, 448, 449, 341, 342, 352, 323 & 506 read with Section 34 of the Indian Penal Code, 1860.

2. Heard both sides.

3. This Court by order dated 14.06.2023 has granted bail to accused No.8, considering the nature of allegations and progress of trial. Learned counsel for the petitioner stated that the petitioner, who is accused No.14 is also facing similar kind of allegations and he is also entitled for bail.

4. Learned counsel for *defacto* complainant submitted that apart from sharing of common intention with other accused, the

additional circumstance against the present petitioner is that he is the owner of the car, which is involved in the offence.

5. Learned Additional Public Prosecutor also opposed the grant of bail to the petitioner.

6. As seen from the charge sheet, the allegation is that prior to the execution of offence accused No.1, 8 to 10, 13 to 17 have planned and conspired. With such a conspiracy and plan, they left from the residence of accused Nos.2 and 3 and went to the residence of the deceased and L.W.1.

7. In the present case, accused Nos. 9, 10, 12, 13, 15, 16 and 17 were already enlarged on bail. The petitioner herein also stands on similar footing, but the additional incrimination against him is that he is the owner of the vehicle involved in the offence. When the intention shared by the petitioner is similar to other accused, the petitioner is also entitled for grant of bail.

8. Accordingly, the Criminal Petition is allowed and the petitioner/accused No.14 shall be released on bail on the following terms and conditions:

(i) The petitioner/accused No.14 shall be released on bail on his executing a personal bond for Rs.50,000/- (Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the IX Additional District and Sessions Judge (FTC), Ranga Reddy District, L.B.Nagar, as soon as the recording of evidence of the witnesses upto L.W.10 is completed.

(ii) That does not mean that L.Ws.4 to 10 shall be examined by the prosecuting agency. The prosecuting agency would always be at liberty either to give up their evidence or to examine those witnesses.

(iii) However, as soon as his requirement before the Court for attendance to give evidence is completed, the petitioner shall be set at liberty on his executing the required bond narrated supra.

JUSTICE M. LAXMAN

Date: 30.06.2023
GVR