

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 6816 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused No.2 seeking anticipatory bail in the event of his arrest in connection with Crime.No.92 of 2023 on the file of Khanapur Police Station, Nirmal District, registered for the offences punishable under Sections 341 and 307 r/w.34 of Indian Penal Code (for short 'IPC').

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.

3. The petitioner is arrayed as A-2 for the offence of attempt to murder the *de facto* complainant. It is the case of the prosecution that while this petitioner and A-3 caught hold of the victim, A-1 inflicted injuries with a knife. Since the petitioner had facilitated A-1, the case was registered against him by abetting the offence by A-1.

4. Learned counsel for the petitioner would submit that he is a Government servant and in the event of being arrested is

likely to lose his job. In fact, the petitioner was preventing the father of A-1 from attacking the victim. He further submits that A-3 was granted bail immediately on production before the concerned Magistrate.

5. Keeping in view that the petitioner is a public servant and there is no allegation of inflicting any injury, this Court deems it appropriate to grant anticipatory bail, subject to the following conditions:

- 1) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Khanapur Police Station, Nirmal District on 07.08.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.2 on bail, on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused No.2 shall appear before the concerned police every day till 21.08.2023 at 6.00 p.m. and thereafter, as and when required for the purpose of investigation.
- 3) The petitioner/Accused No.2 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

6. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 02.08.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 6680 of 2022
Dt.03.08.2022

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