

HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 6838 OF 2023

ORDER:

1. This Criminal Petition under Section 438 Cr.P.C. is filed by petitioner – Accused No.4 seeking bail in the event of his arrest in connection with Crime No.202 of 2023 on the file of Bibinagar Police Station, registered for the offences punishable under Sections 286, 336 of Indian Penal Code and Sections 9 B (1) (b) Explosives Act 1884 and Sections 4 and 5 of Explosives Substances Act 1908.

2. The case of the prosecution is that the FIR was registered on the basis of complaint made by S.I of Police, Bibinagar. According to the complaint Accused Nos.1 to 4 were found in the land of the petitioner. They have dug nearly 30 holes for the purpose of causing blast in the said land. On the basis of finding the Explosives Substances without valid license, the crime was registered.

3. Learned counsel for the petitioner would submit that he is the land owner and has given contract to Accused No.1. He is not

aware of the use of Explosive material by Accused No.1 in his land.

4. Keeping in view that the petitioner was not present at the scene and also there is no evidence to conclude at this juncture that the petitioner was complicit along with Accused Nos.1 to 3 for the purpose of Explosive material and to cause blast in the land, this Court deems it appropriate to grant relief of anticipatory bail.

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

(i) The petitioner/accused No.4 is directed to surrender before the Station House Officer, Bibinagar Police Station on 07.08.2023. On such surrender, they shall be enlarged on bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties to the like sum to the satisfaction of concerned Station House Officer.

(ii) The petitioner/accused No.4 shall appear before the Station House Officer, Bibinagar Police Station on every Monday at 10.00 a.m., for a period of eight weeks.

(iii) The petitioner/accused No.4 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.

02.08.2023
mmr/dsv

K.SURENDER, J

HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 6838 OF 2023

02.08.2023

mmr/dsv