

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10761 of 2023

ORDER:

1. 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/Accused No.2 in Crime.No.117 of 2023 on the file of Bhavani Nagar Police Station, Hyderabad, registered for the offence under Section 307 r/w. 34 of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. It is alleged that on 22.08.2023, this petitioner and A-1 went to the house of the deceased and abused him in filthy language. There was an altercation and during the said time, it is alleged that this petitioner handed over a knife to A-1, who attacked the deceased with the said knife and caused injuries. Later, he died while undergoing treatment.
4. Learned counsel appearing for the petitioner would submit that a case was registered against the deceased for the offence under Section 307 of IPC for injuring A-1. Even according to the prosecution case, this petitioner had not inflicted any injury on

the deceased. For the said reason, the relief of bail may be granted.

5. On the other hand, learned Assistant Public Prosecutor would submit that there is enmity between the parties and release of this petitioner may likely worsen the situation.

6. Admittedly, it was A-1 who had caused injuries on the deceased. The deceased in turn had caused injuries to A-1. In the said circumstances, though there is an allegation of handing over the knife against this petitioner, he had not caused any injury on the deceased, as such, this Court is inclined to grant the relief of regular bail, subject to following conditions:

- i) The petitioner/Accused No.2 shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, for a like sum each to the satisfaction of VIII Additional Chief Metropolitan Magistrate, Hyderabad.
- ii) The petitioner/Accused No.2 after release shall appear before the concerned Station House Officer, everyday at 10:00 a.m., for a period of two weeks for the purpose of investigation and thereafter, as and when required.
- iii) The petitioner/Accused No.2 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

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

Date : 03.11.2023
dv

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10761 of 2023
Dt.03.11.2023

dv