

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11414 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 F.I.R No.451 of 2023 dated 14.07.2023 on the file of the Pahadishareef Police Station, Rachakonda District, registered for the offences punishable under Sections 307 and 148 r/w 149 of Indian Penal Code (for short 'IPC').

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

3. The case of the Police, Pahadishareef is that the victim was attacked by seven persons. On the basis of the said complaint, accused Nos.1, 5 and 6 were arrested. According to the Remand Case Diary, the police during the course of investigation found that accused No.1 stabbed the victim thrice with his knife when accused Nos.4, 5 and 6 caught hold of the victim. Except the presence of this petitioner when incident has taken place, no overt act was attributed to the petitioner. The arrested accused were already released on bail.

4. Since there are no specific overt acts attributed to this petitioner, this Court is inclined to grant the relief of anticipatory bail, subject to the following conditions:

- 1) The petitioner/accused No.2 is directed to surrender before the Station House Officer, PS, Pahadishareef, Rachakonda District, on or before 04.12.2023. 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.25,000/- (Rupees Twenty Five 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 on every Monday at 10am for a period of two (02) weeks 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.

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

K.SURENDER, J

Date : 28.11.2023
gvl/pvt

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11414 of 2023
Dt.28.11.2023

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