

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.12481 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.1 in Crime No.163 of 2023, on the file of Narkatpally Police Station, Nalgonda District, registered for the offences punishable under Sections 307, 498-A, 323, 504 and 506 r/w. 34 of IPC and Section 4 of the Dowry Prohibition Act, 1961.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The petitioner/husband is seeking the relief regular bail on the ground of false implication. It is alleged by the wife of the petitioner that their marriage had taken place in the year, 2018 and at the time of marriage, dowry was given. Though she conceived twice, she was forced to abort her pregnancy. Several allegations are also made amounting to cruelty. However, the allegation under Section 307 of IPC is

added for the reason of planning to kill her, when they were staying in the farm house. It is alleged that when the wife of the petitioner found that there was smell of gas leakage, she saw that gas pipe was removed with an intention to kill her. When the petitioner was questioned regarding the gas pipe being removed, he allegedly stated that he had deliberately removed the pipe to kill her.

4. Learned counsel appearing for the petitioner would submit that if the petitioner intends to kill his wife, he would not have entered the kitchen or stayed with her in the said premises.

5. Keeping in view that there are no injuries and the only basis for adding Section 307 of IPC is on account of gas stove pipe being removed, this Court deems it appropriate to grant the relief of regular bail to the petitioner, subject to following conditions:

- i) The petitioner/accused No.1 shall execute personal bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, for a like sum each to the satisfaction of Judicial First Class Magistrate for Prohibition & Excise Offences at Nalgonda.

ii) The petitioner/accused No.1 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of four weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

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

Date: 21.12.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.21.12.2023

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