

**THE HONOURABLE DR. JUSTICE D.NAGARJUN**

**CRIMINAL PETITION No.11902 of 2022**

**O R D E R:**

This Criminal Petition is filed by the petitioner/accused under Section 438 of the Criminal Procedure Code seeking pre-arrest bail in Crime No.488 of 2022 of Town-I Police Station, Nizambad, registered for the offence punishable under Sections 307 of the Indian Penal Code.

02. Heard Sri Mohd Muzaferullah Khan, learned counsel for the petitioner as well as Sri T.V.Ramana Rao, learned Additional Public Prosecutor for respondent/State.

03. According to the prosecution on 02.12.2022 at about 7:50 PM while the victim was near Jaher Masjid, the petitioner gone there with an intention to kill, and attacked him with the help of knife and caused incised injuries on his back. On which a case in Crime No.488 of 2022 is registered for the offence punishable under Section 307 of IPC.

04. It is contended by the learned counsel for the petitioner that the petitioner went there in order to inquire

about the money to be paid, on which the victim himself attacked with knife, on which petitioner received injury on his eye and the petitioner was taken to hospital and his vision has become low and advised to get the eye operated and hence sought for grant of anticipatory bail.

05. Learned Additional Public Prosecutor filed photographs to show that there was incise cut in the back side of the victim.

06. It is a case where in the incident, both victim and the accused to have received injuries and who is the aggressor will have to be decided during the course of trial. The victim who received stab injuries in his back has been discharged from the hospital and the petitioner has also received injuries.

07. Considering the health condition of the petitioner who stated to have lost eye sight for which he has to be operated upon, the petitioner can be granted pre-arrest bail.

08. Accordingly, the Criminal Petition is allowed and the petitioner/accused is ordered to be enlarged on bail in the event of arrest subject to the following conditions:

i) The petitioner/accused is directed to surrender himself before I-Town Police Station, Nizambad, within one week from today. On such surrender the petitioner shall be released on bail on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of I-Town Police Station, Nizambad.

ii) The petitioner/accused shall abide by the other conditions stipulated in Section 438(2) of the Criminal Procedure Code.

As a sequel, pending Miscellaneous Applications in this matter, if any, shall stand closed.

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**DR. D.NAGARJUN, J**

Date: 06-Jan-2023  
AQS