

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.4155 of 2024

ORDER:

This Criminal Petition is filed by the petitioner/A4 under Section 438 of Cr.P.C. for grant of anticipatory bail in Crime No.41 of 2024 on the file of the Station House Officer, P.S. Kataram, Jayashankar Bhupalpally District, registered for the offence under Section 307 read with 34 of IPC.

2. The case of the prosecution, in brief, was that on 05.03.2024 at 16:30 hours, the *de-facto* complainant came to the police station and lodged a report stating that at about 2:30 P.M., he along with one Munjam Karunakar, Kothapalli Rajesh, Shilam Manoj and Goskula Sandeep went to Telangana Wine Shop and while they were drinking alcohol at permit room, Goskula Sandeep went out to buy stuff, where A1 to A3 were there. One of the accused unexpectedly dashed his shoulder. When G. Sandeep questioned him, A1 to A3 abused him in filthy language and threatened with dire consequences to kill him. After sometime, A1 to A3 along with A4 and A5 came to the permit room and abused them in filthy language and they attacked them with broken beer bottles with an intention to kill them. Due to which, the complainant sustained bleeding injury on his left hand, Munjam Karunakar sustained bleeding injuries on his head, shoulder, left and right

hands. Basing on the report given by the de-facto complainant, the above crime was registered for the above offence against A1 to A5.

3. Heard the learned counsel for petitioner/A4 and the learned Additional Public Prosecutor representing the respondent-State.

4. Learned counsel for the petitioner/A4 submitted that the name of the present petitioner was not stated by the *de-facto* complainant in the complaint. The incident took place in the wine shop permit room. No weapons were carried by A1 to A3. A1 to A3 were enlarged on bail. On the confession made by other accused, the name of the present petitioner was also incorporated and prayed to enlarge the petitioner/A4 on bail.

5. Learned Additional Public Prosecutor reported that the injuries sustained by the victims were simple in nature and they were discharged from the hospital.

6. Considering the submissions of both the learned counsel, as no specific overtacts were attributed to the present petitioner and as the main accused persons were also enlarged on bail and as the victims were reported to have sustained simple injuries and were discharged from the hospital, it is considered fit to enlarge the petitioner/A4 on anticipatory bail with certain conditions.

8. Accordingly, the Criminal Petition is allowed and the petitioner/A4 shall be released on bail subject to the following conditions:

- 1) The petitioner/A4 is directed to surrender before the Station House Officer, P.S. Kataram, Jayashankar Bhupalpally District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner on bail, on his executing a 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 the said Station House Officer.
- 2) The petitioner/A4 shall abide by the conditions stipulated under Section 438(2) of Cr.P.C.

Miscellaneous petitions pending, if any, shall stand closed.

Date: 23.04.2024

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Dr. G. RADHA RANI, J