

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.7086 OF 2024

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.
2. The petitioner is accused No.3 in Crime No.174 of 2024 on the file of the Balapur Police Station, Ranga Reddy District, within the territorial jurisdiction of the I Additional Metropolitan Magistrate-cum-I Additional Junior Civil Judge, Cyberabad, Ranga Reddy District at L.B.Nagar.
3. I have heard Sri Muzafferullah Khan, learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State.
4. The prosecution case in brief is that, on 18.05.2024 the petitioner along with other two accused abused and attacked the victims with an intention to kill

them. The attributed role of the petitioner is that he held hands of the victims while another/accused No.1 stabbed the victim, thus, committed offences punishable under Sections 341, 506, 307 r/w 34 of Indian Penal Code.

5. Learned counsel for the petitioner would submit that the petitioner is no way involved in the offence and has been falsely implicated in the case. Further pleaded that there was no material indicated common intention among the accused. However, the petitioner is in judicial custody since 21.05.2024 and material part of investigation is completed. The petitioner is ready to assist the investigation and abide by any condition that may be imposed. Hence, prayed for grant of bail.

6. Learned Additional Public Prosecutor opposed bail application and would submit that the involvement of the petitioner has come to light on the statement of the victim. Further, four (04) witnesses were examined,

accused No.2 is absconding, as such, the investigation is pending.

7. I have considered the submissions of learned counsel and perused the materials placed on record.

8. The allegation against the petitioner is that he has assisted another accused in committing offence. Having regard to the fact that the material witnesses were examined and the period of judicial remand of the petitioner, this Court is of the view that the prayer for grant of anticipatory bail is acceptable.

9. Accordingly, the Criminal Petition is allowed on the following conditions:

- i) The petitioner/accused No.3 shall be released on bail, on executing a self bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties, for a like sum each to the satisfaction of the I Additional Metropolitan Magistrate-cum-I Additional Junior Civil

Judge, Cyberabad, Ranga Reddy District at L.B.Nagar.

- ii) Further, the petitioner/Accused is directed to make himself available for the judicial process on every adjournment, except for the leave of the Court.
- iii) The petitioner shall not interfere or intimidate the prosecution witnesses nor shall attempt to tamper with the evidence.
- iv) The petitioner shall inform his residence and contact particulars to the investigating officer in an affidavit and update the same from time to time till conclusion of the criminal case.
- v) The petitioner shall not indulge in any illegal activity. If the petitioner commits any breach of the above conditions, the investigating agency/prosecution shall be at liberty to initiate proceedings for cancellation of bail.

Miscellaneous applications, pending if any, shall stand closed.

N.TUKARAMJI, J

Date: 05.07.2024
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Dt.05.07.2024

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