

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.12603 of 2024

ORDER :

Petitioners/accused Nos.1 to 3 have filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, seeking anticipatory bail in Cr.No.157 of 2024 of P.S.Hajipur, registered for the offences under Sections 118(1), 292, 351(2) r/w.3(5) of Bharatiya Nyaya Sanhita.

2. Heard learned counsel for petitioners and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the State and perused the record.

3. The case of the prosecution is that the petitioners have attempted to kill the de facto complainant by attacking on him with sticks and rods and caused severe injuries.

4. Learned counsel for petitioners submits that the petitioners have been falsely implicated in the case in view of political rivalries. It is further submitted that though the FIR was registered for the offences under Sections 118(1), 292, 351(2) r/w.3(5) of BNS, later, an alteration memo was filed and Section 109 of BNS was erroneously included in the place of Section

118(1), though no new material was placed on record, only in order to see that the offences carry imprisonment of more than seven years.

5. Though the learned Additional Public Prosecutor has opposed the application, since Section 109 of BNS is added subsequent to registration of crime by way of alteration memo, without there being any new material and keeping in view the alleged political rivalries and as all the original offences are not that much severe in nature, this petition is allowed granting anticipatory bail to the petitioners subject to the following conditions:

1. The petitioners/accused Nos.1 to 3 shall surrender before the Station House Officer of P.S.Hajipur, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on each of them executing a personal bond for Rs.20,000/- with two sureties, for the like sum each.
2. The petitioners/accused Nos.1 to 3 shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

JUVVADI SRIDEVI, J

Date: 25.10.2024
ajr