

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.14283 OF 2024

ORDER:

This criminal petition is filed by the petitioner – accused No.2 under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail in Crime No.853 of 2024 of Jubilee Hills Police Station, Hyderabad, registered for the offences under Sections 303 (2) and 317 (4) of Bharatiya Nyaya Sanhitha (for short 'BNS') and Section 106 of BNSS and Section 66-B of the Information Technology Act, 2000.

2. The case of the prosecution, in brief, was that the accused No.1 had committed theft of two smart cell phones pertaining to this case and also committed theft of three other smart cell phones from the devotees of Peddamma Temple, Jubilee Hills area, Hyderabad City and was selling the stolen cell phones to accused No.2, petitioner herein, who was receiving the same knowing that they were stolen property.

3. Heard Ms. Meghana Addla Suneel, learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner was innocent, he was not at all connected with the alleged offence, the police had falsely implicated him. He never purchased the said mobiles. They were only planted upon him. The petitioner was not a habitual offender. No proper investigation was conducted, and prayed to enlarge the petitioner on bail.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioner, but however, reported no criminal antecedents against him.

6. Considering that the petitioner was in custody since 16.10.2024 i.e. for the past 45 days and no criminal antecedents were reported against him except his involvement in the present case and his guilt or innocence could be decided after a full-fledged trial, it is considered fit to enlarge the petitioner on regular bail.

7. In the result, this Criminal Petition is allowed, directing the petitioner – accused No.2 to be released on bail subject to the following conditions:

- i) The petitioner - accused No.2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees

twenty five thousand only) with two sureties for a likesum each to the satisfaction of the IV Additional Sessions Judge, Hyderabad.

ii) The petitioner – accused No.2 shall abide by the conditions stipulated in Section 480 (3) of Bharatiya Nagarik Suraksha Sanhitha, 2023.

Miscellaneous applications, if any, pending, shall stand closed.

November 27, 2024
KTL

Dr. G. RADHARANI, J