

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14424 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioner/accused No.1 in Crime No.246 of 2024 of Kagaznagar Town Police Station, Kumurambheem Asifabad District.

2. The brief facts of the case are that on 13.10.2024, at about 08:00 p.m., during immersion process of goddess Durga Maa, the accused despite quarrelling with the juice centre workers of the *de-facto* complainant, who are proceeding in bike, near ESI hospital, they also beaten them. When questioned about the same, they also bet the *de-facto* complainant. Later, the accused persons collected some amount from the *de-facto* complainant at his Juice shop and also damaged the said Juice Shop. Hence, a case was registered vide Crime No.246 of 2024 before the Kagaznagar Town Police, Kumurambheem Asifabad District, for the offences punishable under Sections 189(2), 191(2), 118(1), 324(4), 109 and 310(2) read with 190 of the BNS.

3. Heard Sri S.Surender Reddy, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner himself sustained grievous injuries in the quarrel and is still bed ridden. He further submitted that the petitioner is a student and has not committed any alleged offences. He also submitted that the petitioner is no way concerned with the alleged offences. Hence, he prayed the Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the investigation is not yet completed, therefore, granting anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties and a perusal of the material placed on record, it is apparent that the petitioner is still bed ridden due to the grievous injuries sustained by him in the said quarrel. It is pertinent to note that material part of the investigation is

completed. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S. Kagaznagar Town, Kumurambheem Asifabad District, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 10 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.

- iii. The petitioner 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.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 10.12.2024
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