

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14969 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.4 in Crime No.114 of 2024 of Kalpathar Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 19.06.2024 *de facto* complainant lodged a report before Police stating that he left his house to meet his elder brother. In the meantime, some individuals stopped and asked him to give Rs.1,000/- and then he said that he did not have any money, as such, the said persons attacked and hit him and also damaged his vehicle. Therefore, he ran away from the spot and reached his brother's house and the said persons came to his brother's house and threw stones and broke the window glasses on the house. Basing on the said complaint, the Police registered a case in Crime No.114 of 2024, before the Kalpathar Police Station, Hyderabad, for the offences punishable under Sections 307, 341, 149, 427 read with 34 of IPC.

3. Heard Sri Mohd.Muzaferullah Khan, 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 was innocent and he is no way concerned with the alleged offences and that the petitioner is in judicial custody since 20.11.2024, and is causing undue hardship to his family. He further submitted that accused Nos.1, 3 and 6 in the same crime granted bail on 23.07.2024 *vide* Crl.M.P.No.3176 of 2024, accused No.2 was granted bail on 12.09.2024, *vide* Crl.M.P.No.4025 of 2024, accused No.5 was granted bail on 30.07.2024, *vide* Crl.M.P.No.3261 of 2024, accused No.7 was granted bail on 31.07.2024, *vide* Crl.M.P.No.3298 of 2024, accused No.8 was granted bail on 19.09.2024, *vide* Crl.M.P.No.4221 of 2024, accused No.9 was granted bail on 02.08.2024, *vide* Crl.M.P.No.3401 of 2024, accused No.13 was granted bail on 26.07.2024, *vide* Crl.M.P.No.3307 of 2024, accused No.14 was granted bail on 14.08.2024, *vide* Crl.M.P.No.3468 of 2024, accused No.15 was granted bail on 14.08.2024, *vide* Crl.M.P.No.3469 of 2024, accused No.16 was granted bail on 02.08.2024, *vide* Crl.M.P.No.3420 of 2024 and accused No.17 was granted bail on 25.09.2024, *vide* Crl.M.P.No.4291 of 2024 by the learned VII Additional Sessions Judge, Hyderabad. He also submitted

that previously, bail application of the petitioner, *vide* Crl.M.P.No.5364 of 2024, was dismissed by the learned VII Additional Sessions Judge, Hyderabad, on 02.12.2024, without valid reasons. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the bail petition for grant of bail to the petitioner and stating that investigation is not yet completed, therefore, granting bail to the petitioner, at this stage, does not arise. Therefore, 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 available on record, it is apparent that 10 witnesses were examined and material part of the investigation is completed. Since the petitioner is languishing in jail from 20.11.2024 and other accused released on the bail, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Thousand only) each, with two sureties for a like sum each to the satisfaction of the Special

Judicial Magistrate of First Class,
Hyderabad.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 16.12.2024

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