

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15072 of 2024

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused No.10 in Crime No.522 of 2024 of Attapur Police Station, Cyberabad Commissionerate.

2. The brief facts of the case are that on 21.07.2024, at 8:30 PM, the de facto complainant on receiving credible information, he and his team found nine individuals armed with deadly weapons assembled at an open plot in Akbar Hills, Rajendranagar, in an attempt to illegally grab the land. The accused revealed that they were hired by Samad and Faqrudin for Rs.2,000/- per day to keep watch over the disputed plot and attack anyone who tried to grab it.

3. Heard Sri M.M. Ahmed Khan, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner/accused No.10 denies all allegations and is falsely

implicated and that the FIR and complaint do not specifically mention the name of the petitioner, and his implication is based solely on the false statement of the de facto-complainant. He further submitted that the investigation is completed, the custody of the petitioner is unnecessary, posing no risk of absconding or witness tampering. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the bail petition stating that the allegations leveled against the petitioner are serious in nature. He further submitted that the petitioner along with other accused wrongfully assembled in the subject plot with deadly weapons. Therefore, at this stage, granting of bail to the petitioner does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering the submissions made by both the learned counsel and reviewing the material available on record, it appears that no weapon was recovered from the petitioner. Since the material part of the investigation is completed and 19 witnesses have been examined, this Court deems it fit to grant pre-arrest bail to the petitioner with the following conditions:

- i. The petitioner shall surrender before the
Station House Officer of Attapur Police

Station, Cyberabad Commissionerate, 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 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.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 18.12.2024
SAI

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