

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.15664 of 2024

ORDER :

Petitioners/accused Nos.3 and 4 have filed this petition under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023, seeking bail in Cr.No.1048 of 2024 of P.S. S.R.Nagar, Hyderabad, registered for the offence under Section 109 r/w. 3 (5) of Bharatiya Nyaya Sanhitha.

2. Heard Sri Baglekar Akash Kumar, learned counsel for petitioner and Mr. Syed Yasar Manoon, learned Additional Public Prosecutor appearing for the State and perused the record.

3. Case of the prosecution is that on 19.11.2024, accused Nos.1 to 4 in the crime went to the *de facto* complainant and his friends who are present in the Hotel. Thereafter, the friends of complainant namely Sai Poojith and Naresh consumed alcohol and argued with accused No.1. Then, all the accused got angry, took an empty beer bottle and stabbed said Naresh and Sai Poojith with an intention to kill them, due to which, they received severe injuries.

4. Learned counsel for petitioners submits that the petitioners/accused Nos.3 and 4 are innocent and they have been falsely implicated in the case. Though the names of the petitioners were not mentioned in the complaint, merely basing on the confession of accused No.1, they were implicated in the case and were arrested on 20.11.2024. He further submits that the ingredients of the offences alleged against the petitioners/accused Nos.3 and 4 are not attracted, and hence, prayed for grant of bail.

5. The learned Additional Public Prosecutor opposed the application stating that specific allegations are levelled against the petitioners/accused Nos.3 and 4. He further submits that investigation in the case is progress and if the petitioners/accused Nos.3 and 4 are released on bail, they may tamper with the evidence and threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, it is apparent that the names of the petitioners herein were not mentioned in the complaint, however, basing on the confession of accused No.1, they were implicated in the case and

were arrested on 20.11.2024. In view of the same and as most part of the investigation is completed, this Court is of the considered view that it is a fit case for grant of bail subject to the following conditions:

- 1. The petitioners/accused Nos.3 and 4 shall be released on bail on each of them executing a personal bond for Rs.10,000/- with two sureties for the like sum each to the satisfaction of III Additional Chief Judicial Magistrate, Hyderabad.**
- 2. The petitioners/accused Nos.3 and 4 shall comply with the conditions as laid down under Section 480 (3) of Bharatiya Nagarik Suraksha Sanhitha, 2023.**

Petition is accordingly allowed.

JUVVADI SRIDEVI, J

Date: 20.12.2024
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