

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.3960 of 2025

Order:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.2 in S.C.No.396 of 2023 (Cr.No.22 of 2023) on the file of the IX Additional District and Sessions Judge, Ranga Reddy at L.B.Nagar, registered for the offences punishable under Sections 302, 307 and 394 r/w 34 of the Indian Penal Code, 1860 (for short 'IPC').

2. Heard Mr. D.Ambedkar, learned counsel for the petitioner/accused No.2 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

3. Learned counsel for the petitioner submitted that the petitioner is accused No.2 in Crime No.22 of 2023 (S.C.No.396 of 2023) and this Court granted bail in favour of the petitioner/accused No.2 *vide* order dated 14.11.2024 in

Crl.P.No.13041 of 2024. Subsequently, the petitioner could not appear before the court below in S.C.No.396 of 2023 as he was arrested and was in jail in connection with another crime *viz.*, S.C.No.503 of 2023 (Cr.No.23 of 2023). The police officials have not produced the petitioner before the court below in S.C.No.396 of 2023, due to which IX Additional District and Sessions Judge, Ranga Reddy District, issued Non-bailable Warrants against the petitioner on 07.03.2025. In the meanwhile, the petitioner approached this Court by filing Crl.P.No.2985 of 2025 for grant of bail in S.C.No.503 of 2025 and this Court allowed the said application on 10.03.2025. The police, basing upon the PT warrant, arrested the petitioner in S.C.No.396 of 2023. The petitioner is in Chanchalguda Central Prison. Unless the petitioner is released on bail, he will be put to irreparable loss. Hence, he prays to grant bail to the petitioner/accused No.2.

4. Learned Additional Public Prosecutor has not disputed the submissions made by learned counsel for the petitioner/accused No.2.

5. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that initially the petitioner was granted bail in connection with Crime No.22 of 2023 on 14.11.2024, and till such time he was in jail. Subsequently, petitioner was remanded to judicial custody in S.C.No.503 of 2023 and on 07.03.2025, learned IX Additional District and Sessions Judge, Ranga Reddy District issued NBWs against the petitioner in S.C.No.396 of 2023. According to learned counsel for the petitioner, the petitioner could not appear before the court below in S.C.No.396 of 2023 as he was in judicial custody in connection with S.C.No.503 of 2023 (Crime No.23 of 2023).

6. Taking into consideration of the facts and circumstances of the case and submissions made by the respective parties, this

Court is inclined to grant bail to the petitioner/accused No.2,
subject to the following conditions:

(i) The petitioner/accused No.2 shall execute a personal bond for a sum of Rs.2,000/-(Rupees Two Thousand only) with two sureties for a like sum each to the satisfaction of Principal Senior Civil Judge –cum- Additional Chief Judicial Magistrate, Rajendranagar, Ranga Reddy District.

(ii) The petitioner/accused No.2 shall appear before the concerned Court whenever required.

iii) The petitioner/accused No.2 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date: 26.03.2025
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J.SREENIVAS RAO, J