

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.8348 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.3 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking regular bail in connection with Crime No.66 of 2025 on the file of the Station House Officer, Marriguda Police Station, Nalgonda District, registered for the offences punishable under Sections 109 and 249 r/w. 3 (5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr.Gajanand Chakravarthi, learned counsel for the petitioner/accused No.3 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. Case of the prosecution is that on 13.05.2025, the de-facto complainant reported that on the previous night at around 20:00 hours, her father, Narsing Prabhakar, was traveling to Khudhabakshapally on his bike when he was followed by her cousin, Narsingh Anil, and another person on a Bullet bike. They allegedly kicked him off his bike and assaulted him with a rod and

stone, targeting his head, legs, and hands. Villagers Punnam Subhash and Dusari Laxmaiah intervened and informed the complainant's maternal uncle, Madagoni Shekaraiah, who then helped shift the victim to an R.M.P. doctor and later to MS Hospital, Ibrahimpatnam. The accused had ongoing land disputes with the complainant's family for the past two years and attacked the victim with the intention to kill. Basing on the same, present crime was registered.

4. Learned counsel for the petitioner/accused No.3 submits that the petitioner has not committed any offence and he was falsely implicated in the aforesaid crime. Even according to the allegations made in the complaint and in the remand case diary, allegations are levelled against accused Nos.1 and 2 only. The only allegation made against the petitioner is that he has provided financial help to the accused No.1. He further submitted that ingredients under Section 109 of BNS are not attracted and the punishment prescribed for the other offences is below seven years. He further submitted that petitioner was arrested on 23.06.2025 and since then he is in judicial custody and the entire investigation

is completed except filing of chargesheet and he is not having any criminal antecedents and therefore, he may be granted bail as he is ready and willing to cooperate with the investigation and abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner/accused No.3 has committed grave offence and the victim sustained grievous injuries. He further submitted that investigation is under progress and if the petitioner is enlarged on bail at this stage, he will interfere with the investigation and influence the witnesses. Hence, he prays to dismiss this criminal petition.

6. Having heard learned counsel for the parties and on perusal of the record, it reveals that the allegation levelled against the petitioner is that he provided financial help to the accused No.1. Even according to the remand case diary, the entire allegations are levelled against accused Nos.1 and 2 only and the petitioner was arrested on 23.06.2025, since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, 6 witnesses

were examined and the petitioner is not having any criminal antecedents.

7. In view of the same, this Court is inclined to grant bail to the petitioner/accused No.3 subject to the following conditions:

(i) The petitioner/accused No.3 shall execute a personal bond for a sum of Rs.30,000/-(Rupees Thirty Thousand only) with two sureties for a like sum each to the satisfaction of the Additional Judicial First Class Magistrate, Devarakonda, Nalgonda District.

(ii) On such release, the petitioner/accused No.3 shall appear before the concerned Station House Officer at 11.00 A.M., on every Monday, for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.

(iii) After release, petitioner/accused No.3 shall not influence the witnesses or interfere with the investigation.

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

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8. Accordingly, the Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 14.07.2025
Lk/nit

J.SREENIVAS RAO, J