

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION NO.10319 OF 2025

ORDER:

This criminal petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.2 seeking regular bail in connection with FIR No.147 of 2025 of Pochampally Police Station, Rachakonda. The offences alleged against the petitioner are under Sections 109, 352, 126(2), 351(2) of Bharatiya Nyaya Sanhita, 2023 and under Sections 3(5), 3(I)(s), 3 (2) (Va) of SC/ST (POA) Act, 2015.

2. The case of the prosecution is that the defacto complainant lodged a complaint before police stating that he is doing milk business and living with his family. On 15.06.2025 at about 17.30 hours he started from his house on his uncle's bike for bringing milk from the farmers and while returning to home, in the mid way at about 19.30 hours, when they reached near the house of Bommagani Anjaiah, the accused Nos.1 to 4 attacked him and A.1 stabbed him with knife and A.2 and other accused also contributed for the same. As such, he requested the police to take necessary action against the accused. Basing

on the said complaint, the police registered the case against the accused.

3. Heard Smt M.Saritha, learned counsel for the petitioner, Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State and Smt T.Manjula, legal aid counsel appearing for respondent No.2-complainant.

4. The contention of learned counsel for the petitioner is that there are no specific allegations against this petitioner who is arrayed as A.2. A.1 was already granted bail and other accused were granted anticipatory bail. Except this petitioner, all the other accused were released on bail and material part of investigation is already completed. Further petitioner is in jail from 18.07.2025. As such, requested this Court to grant bail to the petitioner.

5. Learned counsel for respondent No.2 submits that there is threat to the witnesses and also to the complainant in the hands of A.1 and A.2. A.1 who is already released on bail is threatening the witnesses and the defacto complainant that he will see their end after A.2 releases on bail. As such, requested

this Court not to grant bail to the petitioner and prayed to dismiss this petition.

6. On the other hand, learned Additional Public Prosecutor opposed bail stating that there are specific overt acts against this petitioner and the allegations are serious in nature. As such, requested the Court to dismiss this petition.

7. Considering the submissions made by the respective counsel and the material placed on record, the petitioner is in jail from 18.07.2025 and 12 witnesses were already examined. Considering the period of incarceration of petitioner in jail, this Court deems it appropriate to grant bail to the petitioner subject to the following conditions:

- i. The petitioner/A.2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of Judicial First Class Magistrate, Yadadri Bhongiri District.
- ii. The petitioner/A.2 shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
- iii. The petitioner/accused shall abide by the other conditions stipulated in Section 483(2) of BNSS. Further petitioner shall not threaten the witnesses or the complainant.

- iv. In view of the specific submission made by the learned counsel for respondent No.2, petitioner is directed not to contact with the victim or witnesses directly or indirectly.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, pending, if any, shall stand closed.

Date :02.09.2025
Rds

K. SUJANA, J

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION NO. 10319 OF 2025

DATE : 02.09.2025

Rds