



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3369]

THURSDAY ,THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

CRIMINAL PETITION NO: 1718/2024

Between:

Shenagana Durga Prasad Wrongly **...PETITIONER/ACCUSED(S)**
Printed As Senagana Prasad and
Others

AND

The State Of Andhra Pradesh **...RESPONDENT/COMPLAINANT**

Counsel for the Petitioner/accused(S):

1.KADIYAM NEELAKANTESWARA RAO

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR (AP)

The Court made the following: ORDER:-

The Criminal Petition, u/Sec.438 of the Code of Criminal Procedure, 1973, is filed on behalf of the petitioners/A2 & A3 to grant anticipatory bail in connection with Crime No.107 of 2024 of Rajanagaram Police Station, East Godavari District.

2. A case has been registered against the petitioners and another for the offence punishable under Section 7(B) r/w 8(A) of Andhra Pradesh (Prohibition) Amendment Act, 2020.

3. The case of the prosecution is that:

On 23.02.2024 at 4.30 P.M., at outskirts of Srikrishnapatnam Village, Rajanagaram Mandal, the SI of Police on receipt of credible information about the illegal manufacture and possession of ID arrack and conducted raid along with his staff and in presence of mediators and apprehended the accused No.1 while he illegally manufacturing ID arrack and he confessed that he along with A2 and A3 manufacturing the ID arrack since few days. Later the complainant seized 90 liters of ID arrack and aluminum vessels-02 and destroyed 1400 liters of JF wash in presence of mediators under the cover of mediators report.

4. Heard. Perused the record.

5. Learned counsel for the petitioners/A2 & A3 contended that basing on the confession of A1, the case came to be registered against A2 & A3 who is the petitioners herein. Learned counsel for the petitioners submitted that the petitioners are sole breadwinners

of their family and prays to enlarge the petitioners/A2 & A3 on anticipatory bail.

6. Learned Assistant Public Prosecutor opposed to grant bail and submitted that investigation is not completed and the 1st petitioner/A2 is involved in other case and ascertained that the said case pertains to the year 2018 and the 2nd petitioner/A3 has no previous antecedents and prays to dismiss the petition.

7. A perusal of the record shows that except confession statement said to be made by A1, no other independent material has been placed to show the involvement of the petitioners in the commission of the offence. Petitioners have permanent abode at Raghunadhapuram Village, Rajanagaram Mandal, East Godavari District and so there is no possibility of their fleeing away from the jurisdiction of the Court. As most of the witnesses shown to be official witnesses, the release of the petitioners would not cause hampering of the investigation.

8. Accordingly, the petitioners/A2 and A3 are directed to surrender before the concerned police station within two (02) weeks from the date of receipt of a copy of the order and on their surrender the petitioners/A2 and A3 shall be released on bail on their executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only)

with two sureties for a like sum each to the satisfaction of the arresting police officials and the petitioners/A2 & A3 shall make themselves available for investigation as and when required and they shall not cause any threat, inducement or promise to the prosecution witnesses. After release, petitioners/A2 & A3 shall attend before the Station House Officer concerned on every Sunday between 10.00 a.m. and 12 noon for a period of three (03) months or till filing of final charge sheet, whichever is earlier

9. With the above directions, the Criminal Petition is allowed.

JUSTICE T.MALLIKARJUNA RAO

28.03.2024.

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THE HON'BLE SRI JUSTICE T.MALLIKARJUNA RAO

CRIMINAL PETITION No.1718 OF 2024

28.03.2024

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