

THE HON'BLE SMT JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.3179 of 2020

ORDER:-

This petition is filed under Sections 437 and 439 of Code of the Criminal Procedure, 1973 to enlarge the petitioners / A-1 and A-2 on bail in connection with Crime No.76 of 2020 of Prohibition & Excise Station, Sattenapalli, Guntur District for the offences punishable under Sections 34(A) and 50(B)(a) of the Andhra Pradesh Excise Act, 1968 (for short the 'AP Excise Act').

2. Heard Smt. Nimmagadda Revathi, learned counsel for the petitioners and learned Public Prosecutor appearing on behalf of the respondent-State.

3. The case of the prosecution is that the petitioners 1 and 2 on 01.08.2020 at about 5.20 P.M., were travelling in gold colour Toyota Innova Car bearing No.AP 37 TE 0008 and on suspicion they were stopped by the police. On being questioned by the Police, they revealed that they are carrying liquor bottles of Telangana State in the vehicle. The police issued search proceedings to the driver of the vehicle and searched in the presence of mediators and found 8 plastic bags containing 50 (750 ml) and 856 (180 ml) total 906 bottles of various branch of liquor in the bags. On verification it is found that the label 'for sale in Telangana only' on the caps of the bottles were removed. Further it is stated that they have purchased the said bottles from A-3 and

are transporting to Selapadu village of Chebrolu Mandal for illegal sales. Basing on the same, the crime was registered. The petitioners were arrested and sent to judicial custody on 02.08.2020.

4. Learned counsel for the petitioners submits that the petitioners are nothing to do with the offence and in fact they are only hirers of the vehicle and the petitioners are falsely implicated in the case.

6. Learned Public Prosecutor opposed the bail application submitting that the petitioners have knowledge and in fact the alleged offence is punishable with imprisonment of eight years in view of the recent amendments. He further submits that the investigation is at threshold and prays to dismiss the bail application.

7. In view of the submissions of the learned Public Prosecutor, this Court is not inclined to grant bail.

8. Accordingly the Criminal Petition is dismissed.

Consequently, miscellaneous applications pending, if any, shall stand closed.

JUSTICE LALITHA KANNEGANTI

Date: 21.08.2020

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