

**THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**CRIMINAL PETITION NO.1464 of 2016**

**ORDER :**

The petitioner, who is sole accused in C.O.R.No.6 of 2016 of Prohibition and Excise Station, Adilabad, filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with the above crime registered for an offence punishable under Section 7(A) read with Section 8(e) of A.P.Prohibition Act.

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent-State.

The case of the prosecution is that on 11.01.2016 the excise police during their route watch detected a case where Deshidaru was being transported in an auto rickshaw without any license. On seeing the police, the petitioner is alleged to have stopped the vehicle and ran away from the scene. The said contraband was seized by the police under the cover of panchanama.

Learned counsel for the petitioner submits that the marriage of the sister of the petitioner is scheduled on 15.02.2016 and valima dinner is arranged on 17.02.2016 and hence prayed for release of the petitioner on anticipatory bail. He further submits that the allegations made are false and invented for the purpose of the case.

On the other hand, learned Public Prosecutor submits that the petitioner is involved in four cases of similar nature and as such he is not entitled for anticipatory bail.

A perusal of the material on record would show that on the date of incident at about 08.45 p.m., on seeing the police, the vehicle was stopped and the person who was driving the vehicle ran away from the scene. The material on record, more particularly, the averments in the C.D. file would show that the petitioner, who is the owner of the vehicle, was driving the vehicle at the time of incident.

Having regard to the above circumstances and since the petitioner is

involved in four crimes viz. Crime No.179 of 2013 of Adilabad Excise Station, Crime Nos. 155, 197, 233 of 2015 of Adilabad II Town Police Station, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the Criminal Petition is dismissed.

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**JUSTICE C. PRAVEEN KUMAR**

15.02.2016

vhb