

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.9591 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

2. The present Criminal Petition came to be filed by the petitioner/A.4 under Section 438 Cr.P.C., seeking release in the event of his arrest in C.O.R. No. 362 of 2016 of Mahabubabad Prohibition and Excise Station, Warangal District, registered against him and others for the offences punishable under Sections 34 (e) of the Andhra Pradesh Excise Act, 1968 and 7 (A) read with 8 (e) of the Andhra Pradesh Prohibition Act, 1995.

3. The case of the prosecution is that A.1 to A.3 were found to be in possession black jaggery, alum and I.D. liquor and were apprehended while transporting the same in DCM van bearing Registration No.AP247B 4696. Basing on these allegations the present case came to be registered.

4. Learned counsel for the petitioner submits that the petitioner is running a small kirana shop, and he was implicated basing on the confession made by A.1 and A.2. Except the said confession, there is no material to show his presence or participation in the alleged offence.

Hence, he prays to consider the request of the petitioner for anticipatory bail.

5. Learned Public Prosecutor opposes the same.

6. Since the allegations made against the petitioner are based on the confession of A.1 and A.2 and as possession of alum and black jaggery is not an offence, the request of the petitioner can be considered.

7. Accordingly, the petitioner is directed to appear before the concerned Magistrate within a period of 10 days from today and move an application for bail, in which event, he shall be released on bail on such terms and conditions as the Magistrate deems fit and proper.

8. Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

Date: 20.07.2016

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