

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11429 OF 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 and A.2, for grant of bail in Crime No.167 of 2018 of Prohibition and Excise Police Station, Prathipadu, registered for the offence punishable under Section 7A read with 8(e) of A.P. Prohibition Act, 1995.

2. Heard the learned counsel for the petitioners/A.1 and A.2 and the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. Learned counsel for the petitioners/A.1 and A.2 would submit that the petitioners are falsely implicated in this case. The FIR itself is a false one and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioners/A.1 and A.2.

5. As per the contents of FIR, dated 14.04.2018, when the excise officials conducted raid at the premises of the petitioners, on seeing them, the petitioners destroyed 800 litres of FJ wash and escaped from the scene.

6. In the course of submissions, it is brought to the notice of this Court that the petitioner/A.2 is an accused in another Crime No.92 of 2018 of same police station, wherein it is alleged that he destroyed 160 liters of FJ wash and about 60 litres of ID liquor. The allegations against the petitioners/A.1 and A.2 are grave. The punishment for the alleged offence is stringent. Release of the petitioners/A.1 and A.2 on bail under Section 438 Cr.P.C. would hinder the investigation. There are no merits to allow the petition under Section 438 Cr.P.C.

6. In the result, the Criminal Petition is dismissed.

DR. SHAMEEM AKTHER, J

Date: 19.11.2018
ssp

