

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.1148 OF 2024

O R D E R:

1. This Criminal Petition is filed under Section 438 of Code of Criminal Procedure (for short 'Cr.P.C.') by the petitioner/Accused seeking bail in the event of his arrest in connection with Crime No.940 of 2023 on the file of Banjara Hills Police Station, Hyderabad, registered for the offence under Section 37(a) of Telangana State Excise Act, 1968.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State. Perused the record.

3. The case of the Banjara Hills Police is that A-1 was found adulterating toddy. This petitioner and A-1 moved Sessions Court seeking anticipatory bail. Learned Sessions Judge found that A-1 was named in the FIR and accordingly granted him the relief of anticipatory bail on the ground that the Police did not conduct any spot test to analyze whether any narcotic substance was present in the samples of toddy found. However, anticipatory bail for this petitioner was dismissed on the ground that he was not named in the FIR.

4. Learned counsel appearing for the petitioner would submit that he was the President of Toddy Cooperative Society and he is apprehending arrest along with the 1st petitioner.

5. Learned Additional Public Prosecutor on instructions would submit that complicity of this petitioner is being investigating into.

6. Since the toddy outlet belongs to A-1 and he was granted relief of anticipatory bail, similar relief can be extended to this petitioner, subject to following conditions:-

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Banjara Hills Police Station, Hyderabad, on or before 09.02.2024. Upon such surrender, the said Station House Officer shall release the petitioner/Accused on bail, on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused shall appear before the concerned Station House Officer at 10:00 a.m. one every Monday for a period of four weeks for the purpose of investigation and thereafter, as and when required.
- 3) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 02.02.2024
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K.SURENDER, J

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Dt.02.02.2024

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