

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5857 of 2025

ORDER:

This criminal petition is filed by the petitioner/accused No.2 under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) seeking regular bail in Crime No.599 of 2025 on the file of Narsingi Police Station, Ranga Reddy District, registered for the offence punishable under Sections 406, 420, 467, 468 and 471 read with Section 120-B of IPC.

2. The case of the prosecution is that on 24.03.2025 at 11:30 hours, one Abha Sri, Manager, SBI, Alkapuri Township Branch, lodged a complaint wherein it is stated that one Naresh Banothu has availed loan of Rs.25 lakhs on 21.09.2023 and thereafter he is not repaying the said loan amount. On verification, it was discovered that the said Naresh has fraudulently obtained the loan by submitting false documents and that he is not responding to phone calls and is not residing at the address provided in his loan application. Basing on the same, the present crime has been registered.

3. Heard Sri J.C. Francis, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the present crime. Even according to the allegations made in the complaint, accused No.1 availed loan from the de-facto complainant bank and when he failed to repay the said amount, the de-facto complainant lodged a complaint on the ground that accused No.1 availed the loan by producing forged and fabricated documents and caused financial loss to the Bank. There are no specific allegations levelled against the petitioner to attract the ingredients of Sections 406, 467, 468 and 471 of IPC. The only allegation levelled against the petitioner is that he is a relative of accused No.1 and he advised him to avail loan by producing the said documents. The petitioner was arrested on 10.04.2025 and since then he is in judicial custody and material part of investigation is already completed. The petitioner is not having any criminal antecedents and he is ready and willing to cooperate with the investigation and also

abide by the conditions that are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and that he received the commission from accused No.1 after sanctioning of the loan amount from the de-facto complainant Bank. The investigation is under progress. At this stage, if the petitioner is enlarged on bail, he will interfere with the investigation and also influence the witnesses. Therefore, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 10.04.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, 10 witnesses were already examined and the petitioner is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this court is inclined to grant bail to the petitioner/accused No.2 on the following conditions:

(1) The petitioner/accused No.2 is enlarged on bail on executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of the XIII Additional Judicial First Class Magistrate at Rajender Nagar, Ranga Reddy District.

(2) The petitioner/accused No.2 shall appear before the concerned SHO on every Monday at 11:00 A.M. for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required.

(3) The petitioner/accused No.2 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

8. Accordingly, the criminal petition is allowed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 02.05.2025
ES