

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6228 of 2025

ORDER:

This criminal petition is filed by the petitioners/A1 to A4 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), seeking regular bail in Crime No.78 of 2025 on the file of Bachannapet Police Station, Jangoan District, registered for the offence punishable under Sections 126(2), 292, 132, 121(1), 309(4) and 351(3) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short "BNS").

2. The case of the prosecution is that on 20.04.2025 at 21:00 hours, the *de facto* complainant filed a complaint stating that he is working as RTC bus driver and while he was on trip on 20.04.2025 to Siddipet from Bachannapet, at 19:20 hours when the bus reached Bachannapet bus stand, one Nagapuri Sridhar, who was the bus conductor of another bus which has failed, boarded the passengers of that bus into his bus. When petitioner No.4 did not apply the stand of his Scooty properly, which was parked beside

the road near the bus stand, the pillion rider fell down. Meanwhile, the driver of the bus drove the bus beside the Scooty. The petitioners/A1 to A3, who were inmates of the car, which was also parked there, stopped the bus in drunken state, abused the *de facto* complainant in filthy language and attacked against him and due to fear the *de facto* complainant entered into the bus and hidden between the passengers. While another bus conductor was capturing the video of the incident, the petitioners beat him and robbed the mobile phone and also beat another driver. Basing on the same, the present crime has been registered.

3. Heard Sri G. Madhusudhan Reddy, learned counsel for the petitioners, and Sri D.Arun Kumar, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioners submits that the petitioners have not committed the offence and they were falsely implicated in the present crime. Even according to the allegations made in the complaint, at the time of the incident, the petitioners are in drunken condition and the petitioners are not having any motive of abusing the *de*

facto complainant. The petitioners were arrested on 20.04.2025 and since then they are in judicial custody. Petitioner Nos.1 to 3/accused Nos.1 to 3 are eking their livelihood by doing private employment as drivers and petitioner No.4/accused No.4 is eking his livelihood by doing small private job and their entire families are depending on their income. Unless the petitioners are enlarged on bail, their family members will be put to great hardship. The petitioners are not having any criminal antecedents and they are 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 petitioners have committed grave offence and obstructed the duties of the Government employees, who are the RTC driver and conductor, and abused the *de facto* complainant, who is the driver, and the investigation is under progress. At this stage, if the petitioners are enlarged on bail, they will interfere with the investigation and also influence the witnesses.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that at the time of the alleged incident, the petitioners were in drunken condition and the *de facto* complainant has not sustained any injuries. Even according to the learned Additional Public Prosecutor, 15 witnesses were examined and the petitioners are 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 petitioners/accused Nos.1 to 4 on the following conditions:

(1) The petitioners/accused Nos.1 to 4 are enlarged on bail on executing a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousand only) each with two sureties for a like sum each to the satisfaction of the Additional Judicial First Class Magistrate at Jangaon.

(2) The petitioners/accused Nos.1 to 4 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) After release, if the petitioners/accused Nos.1 to 4 indulge in similar offence, the respondent – State is entitled to file an application seeking cancellation of the bail granted in their favour.

(4) The petitioners/accused Nos.1 to 4 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: 07.05.2025

ES/vs