

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6368 of 2025

ORDER:

This criminal petition is filed by the petitioner/A3 under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking regular bail in Crime No.93 of 2025 on the file of Bahadurpura Police Station, Hyderabad, registered for the offence punishable under Section 25(1)(A) of the Arms Act read with Section 3(5) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of the prosecution is that the de-facto complainant filed a complaint, wherein it is stated that he is working as Police Constable and on 02.04.2025 at 20:00 hours when he reported to duty, he was deputed on Blue Colt-II along with Mr. Ramudu, Police Constable and when they reached near Allah Masjid, Konda Reddy Guda, Kishanbagh, Bahadurpura, Hyderabad, they found three persons in suspicious manner. On noticing them, one person fled away and they apprehended two persons and on enquiry they disclosed their identity as Mohd. Rehan

and Junaid. On physical verification, they found one broken dagger from the pocket of Mohd Rehan. On further verification, they said that they along with one Imran, try to extort money from road passers, footpath vendors, shopkeepers by threatening them by showing the said dagger. Basing on the same, the present crime has been registered.

3. Heard Sri Mohd. Ashraf Ali, learned counsel for the petitioner, and Sri Arun Kumar Doddla, 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, the ingredients of Section 25(1)(A) of the Arms Act do not attract against the petitioner. The petitioner was arrested on 05.04.2025 and since then he is in judicial custody. He further submitted that accused Nos.1 and 2 were already enlarged on bail. The petitioner 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 and other accused have committed grave offence under the provisions of the Arms Act. 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.

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 05.04.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents and accused Nos.1 and 2 were already enlarged on bail.

7. Taking into consideration the above said facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.3 subject to the following conditions:

- (i) The petitioner/accused No.3 shall be released on bail on executing a personal bond for a sum of Rs.25,000/-(Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the Special Judicial First Class Magistrate for Excise cases at Gandhi Bhavan, Hyderabad.
- (ii) After release, the petitioner/accused No.3 shall appear before the concerned S.H.O. at 11.00 a.m. on every Monday for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- (iii) After release, if the petitioner/accused No.3 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.
- (iv) The petitioner/accused No.3 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 480(3) of BNSS and shall cooperate with the investigation.

8. Accordingly, the Criminal Petition is allowed.

JUSTICE J.SREENIVAS RAO, J

Date: 07.05.2025
Sa/ES

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