

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.6807 OF 2025

ORDER:

This Criminal Petition is filed by the petitioner/accused No.21 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking regular bail in Crime No.180 of 2025 on the file of Chaitanyapuri Police Station, Rachakonda Commissionerate, registered for the offence punishable under Section 143(5) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, Section 80, 81, 87 and 88 of Junvenile Justice Act, 2015 wherein the petitioner is arrayed as accused No.21.

2. Heard Sri Baskula Athik, learned counsel for the petitioner/accused No.21 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that accused No.21 has contacted accused No.2 and asked for a baby-boy for accused No.60, who was ready to pay an amount of Rs.5,00,000/- (Rupees Five lakh only) and accused No.2, in turn, informed the same to accused No.18 and accused No.59 informed about availability of a child to accused No.18 and thereafter, the accused Nos.2, 18, 21, 60 went to Vijayawada and paid an amount of Rs.5,00,000/- (Rupees Five lakh only) to accused No.59 through accused No.21 and thus, the accused No.21 is involved in the conspiracy for child

stealing. The accused No.21 has been acting along with other accused for unlawful gain. He has been actively involved in the offence. He was mediator between those who are willing to get the children adopted and those who are willing to sell the children. Basing on the same, Crime No.180 of 2025 was registered against the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and he was falsely implicated in the aforesaid crime basing on the confession statement given by the other accused. He further submits that the petitioner was arrested on 19.03.2025 and he is in judicial custody since more than 83 days. He further submits that very same allegations were leveled against the other accused and A6, A8 to A12, A14 to 16, A25, A27, A29 to A39, A41 to A50 were already enlarged on bail and the entire investigation is completed except for filing of the chargesheet. He further submits that the petitioner is not having any criminal antecedents and is eeking out his livelihood by doing a private job and the petitioner is ready and willing to cooperate with the investigation and also abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and the investigation is under progress and at this stage, if the petitioner

is enlarged on bail he will interfere with the investigation and also influence the witness. Hence, he prays to dismiss this criminal petition.

6. Having considered the rival submissions made by the respective parties and on perusal of the material available on record, it reveals that the petitioner is arrested on 19.03.2025 since then he was in judicial custody. Even according to the learned Additional Public Prosecutor 88 witnesses were already examined and the other accused A6, A8 to A12, A14 to 16, A25, A27, A29 to A39, A41 to 50 were arrested and they were enlarged on bail and also 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.21 subject to the following conditions:

(i) The petitioner/accused No.21 shall be enlarged on bail on his 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 learned IV Additional Metropolitan Magistrate, R.R. District, L.B.Nagar.

(ii) On such release, the petitioner/accused No.21 shall appear before the concerned investigating officer at 11.00 A.M. on every

Monday, 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.

(iii) After release, if the petitioner/accused No.21 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the anticipatory bail granted by this Court in his favour.

(iv) The petitioner accused No.21 shall not interfere with the investigation or influence the witness.

(vi) The petitioner/accused No.21 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

J.SREENIVAS RAO, J

Date: 12.06.2025

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