APHC010508602026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

MONDAY, THE 5th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8568/2026

Between:

1. MANYAM DURGARAO, S/0 MUSALAYYA RAMUDU,HINDU, AGED 44 YEARS,R/O RAGHUNADHAPURANI VILLAGE,RAJANAGARAM MANDALAM.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep., by its Public Prosecutor,High Court of Andhra Pradesh,At Amaravathi.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. B PARAMESEWARA RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS') by the petitioners/sole-accused, seeking grant of pre-arrest bail in connection with Crime No.124 of 2026 of Prohibition and Excise Police Station, Rajamahendravaram South, registered for the alleged offences punishable under Section 7-B read with 8-A and 8-B of the Andhra Pradesh Prohibition (Amendment) Act, 2020.

2. Mr.B. Parameswara Rao, learned counsel for the petitioner, submits that there are no specific overt acts attributable to the petitioner and that the petitioner is innocent of the alleged offence and he has been falsely implicated by the police. It is further submitted that the petitioner is the sole earning member of his family, and, therefore, if he is incarcerated, it would cause undue hardship to his dependants. He is a law-abiding citizen. Hence, it is urged to grant pre-arrest bail to the petitioner.

3. *Per contra*, Mr.A.Sai Rohit, learned Assistant Public Prosecutor, vehemently opposed the grant of pre-arrest bail to the petitioner and submits that the investigation is not yet completed and that there are

specific overt acts attributable on the part of the petitioner. If the petitioner is enlarged on pre-arrest bail, he may not cooperate with the Investigating Officer and may evade the process of law. Therefore, he prays that the petition be dismissed.

4. Thoughtful consideration is bestowed on the arguments of the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

5. As seen from the record, there are specific overt-acts attributed to the petitioner as it is alleged that he was indulged in dealing with 400 liters of FJ Wash in 4 plastic drums and also 5 liters of I.D. Liquor in a ploythene cover and that there are two similar adverse antecedents. In view of the aforesaid specific overt acts attributed to the petitioner, this Court is not inclined to grant pre-arrest bail to the petitioner, as it would amount to giving a shield, or protection or license to the petitioner who has allegedly dealt with 400 liters of FJ Wash and 5 liters of I.D. Liquor, as per the judgments of the Hon'ble Apex Court in **Gurbaksh Singh Sibbia v. State of Punjab**[1] and **Sushila Aggarwal v. State of (NCT of Delhi)**[2]. Having regard to the facts and circumstances of the case, this

[1] **(1980) 2 SCC 565**
[2] **(2020) 5 SCC 1**

Court is not inclined to grant any relief to the petitioner herein as there are no merits.

7. In the result, the Criminal Petition is dismissed.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

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DR. Y. LAKSHMANA RAO, J

Date: 05.10.2026
DRNR

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION No.8568 of 2026

Date:05.10.2026

DRNR