APHC010514282026

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

TUESDAY, THE 6th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8650/2026

Between:

1. GONABOYINA NARAYANA MURTHY, S/O VEERA VENKATARAO VEERA ALIAS VENKATARAO, AGED 38 YEARS,AGRICULTURE COOLIE, R/O D. 7-141, RAGHUNADAHAPURAM VILLAGE, 0PP. GSLMEDICAL COLLEGE, RAJANAGARAM MANDAL, EAST GODAVARI DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, rep. by Public Prosecutor, High Court of AndhrapradeshStation House Officer, Proh Excise Station,Rajamahendravaram- South, East Godavari District.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. SAMBHU PRASAD PEDIREDDI

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 petitioner /accused, seeking grant of pre-arrest bail in connection with Crime No.18 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.Shambhuprasad Pedireddi, 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 upon the arguments of the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

5. In this regard, it is apposite to refer to the judgment of the Hon'ble Apex Court in **Zeba Khan v. State of U.P.,**[1]wherein, at Paragraph Nos. 47 and 48, it was observed that bail applications are often considered on the basis of *prima facie* material placed before the Court at different stages of the proceedings. The Court held that non-disclosure of material facts, such as criminal antecedents, prior bail rejections, custody period, and the stage of trial, may result in an erroneous grant or refusal of bail. It was further held that every bail applicant is under an obligation to disclose all material particulars, including criminal antecedents and any coercive processes pending against him, duly supported by an affidavit. Such disclosure is necessary to ensure transparency, uniformity, and integrity in bail adjudication.

6. 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 600 liters of FJ Wash and also 10 liters of I.D. Liquor and that there are two similar adverse antecedents. The petitioner has not mentioned all the details about his antecedents in the present Criminal Petition.

7. In view of the specific overt acts attributed against the petitioner, this Court is not inclined to grant pre-arrest bail to the petitioner, as it would

[1]2026 SCC Online 188

amount to giving a shield, or protection or license to the petitioner against whom specific allegations have been made, who has allegedly dealt with 600 liters of FJ Wash and 10 liters of I.D. Liquor, as per the judgments of the Hon'ble Apex Court in **Gurbaksh Singh Sibbia v. State of Punjab**[2] and **Sushila Aggarwal v. State of (NCT of Delhi)**[3].

8. Having regard to the facts and circumstances of the case, this Court is not inclined to grant any relief to the petitioner herein as there are no merits.

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

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

DR. Y. LAKSHMANA RAO, J

Date: 06.10.2026
DRNR

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

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION No.8650 of 2026

Date: 06.10.2026

DRNR