APHC010523182026

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

THURSDAY, THE 29th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8787/2026

Between:

1. TATA RAJESH, S/O SAMBASIVA RAO, AGED 32 YEARS,R/O NEAR SIVALAYAM TEMPLE,NANDIRAJUTHOTA VILLAGE,BAPATLA MANDAL, GUNTUR DISTRICT,NOW BAPATLA DISTRICT

...PETITIONER/ACCUSED

AND

1. THE STATE STATION HOUSE OFFICER, DUGGIRALA POLICE STATION THOROUGH ITS PUBLIC PROSECUTOR,HIGH COURT OF A.P., AMARAVATHI.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. VENKATA DURGA RAO ANANTHA

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:
ORDER:

The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioner/Accused on bail in Crime No.31 of 2026 of Duggirala Police Station, Guntur District, registered for the alleged offences punishable

under Sections 75(1), 308(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS Act').

2. Mr.A.Venkata Durga Rao, learned Counsel for the Petitioner submits that the Petitioner is innocent of the alleged offence. He has been falsely implicated in this case. He has not committed any offence. He is a law-abiding citizen. He has got fixed abode. The Petitioner undertakes to abide by any conditions that this Court may impose while granting bail. Hence, it is urged to allow the Criminal Petition.

3. *Per contra,* Mr.A.Sai Rohith, the learned Assistant Public Prosecutor vehemently opposed the grant of bail to the Petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the Petitioner is released on bail at this stage, there is a strong likelihood that he may abscond, thereby hampering the ongoing investigation and evading the process of law. Hence, it is urged to dismiss the Criminal Petition.

4. Heard the learned counsel for the Petitioner and the learned Assistant Public Prosecutor. Perused the record.

5. On perusal of the record, after thorough investigation charge sheet has been filed. The accusations against the Petitioner are well founded. The Petitioner was 16.03.2026. He has been in the judicial custody for the past 227 days. The learned Assistant Public Prosecutor submits that there are similar adverse antecedents reported against the Petitioner. The Petitioner has not disclosed in the petition the said adverse antecedents reported

against him. 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. The revised Standing Order No.282(1) of the High Court of the Andhra Pradesh stated in every application for bail presented to the High Court, the Petitioner shall state whether similar application has or has not been made to the Supreme Court, and if made shall state the result thereof. The petitioner/applicant shall also mention whether he/she is/was involved in any other criminal case or not. If yes, particulars and decisions thereof. An application which does not contain this information shall be placed before the bench with the necessary information.

7. Having regard to the entire facts and circumstances of the case and in view of the law laid down by the Hon'ble Apex Court in **Zeba Khan** *supra*, the request of the Petitioner cannot be considered at this juncture inasmuch as

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the investigation is at crucial stage. There are no merits in this case for grant of bail to the Petitioner. Hence, this Criminal Petition is liable to be dismissed.

8. 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:29.10.2026
KMS

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8787 of 2026

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