APHC010588842026

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

THURSDAY, THE 12th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9910/2026

Between:

1. BATHINA LOKESH, , S/O BATHINA NAGARAJU,AGED ABOUT 29 YEARS, R/O D.NO. 17-16-2,A.P.P MILL ROAD, SEETHAMPETA,RAJAHMUNDRY URBAN, EAST GODAVARI DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY THE PUBLIC PROSECUTOR,THROUGH S.H.O, RAJAHMUNDRY III TOWN URBAN POLICE STATION,EAST GODAVARI DISTRICT.
2. KOTAMSETTI LOKESH, , S/O RAMBABU,AGED ABOUT 19 YEARS, R/O SEETAMPET,RAJAHMUNDRY URBAN, EAST GODAVARI DISTRICT.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

1. KARRE SATYANANDAM

Counsel for the Respondent/complainant(S):

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 No.2 for grant of pre-arrest bail in connection with Crime No.144 of 2026 of Rajahmundry III Town Urban Police Station, East Godavari District, registered for the alleged offences punishable under Sections 126(2), 308(5), 118(1) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Mr.Karre Satyanandam, learned counsel for the petitioner, submits that there is a pathway dispute in between the petitioner and respondent No.2. Respondent No.2 was working in blinkit beyond the period of time of limitation. Because of animosity, respondent No.2 falsely implicated the petitioner. Accusations are omnibus in nature. Accused No.1 was enlarged on regular bail by the learned Trial Court. He further submits that the petitioner is innocent of the alleged offences. He is law-abiding citizen, and civil disputes are pending between the petitioner and the *de facto* complainant. The petitioner undertakes to strictly abide by any conditions that may be imposed by this Court while granting pre-arrest 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 pre-arrest bail to the petitioner, submitting that accusations are well-founded against the petitioner. There is a specific allegation levelled against the petitioner. Investigation is at progressive stage and several material witnesses are yet to be examined. It is contended that if the petitioner is released on pre-arrest bail, 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, it appears that respondent No.2 lodged a complaint on 01.04.2026 against the petitioner and other accused, alleging that they waylaid him and demanded money. As respondent No.2 did not accede their request, he was beaten by one of the accused by name Kamesh with a wooden stick on his head with force. As a result, respondent No.2 suffered blood injuries. An amount of Rs.500/- was extorted from respondent No.2 by the petitioner and other accused by using force and by acting with a common intention, as per the allegations of respondent No.2. Accusations are well-founded against the petitioner.

6. Grant of pre-arrest bail is neither a licence nor permission or premium or passport to commit crime, 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]. The discretionary relief of granting pre-arrest bail cannot be granted to the petitioner, inasmuch as the specific overt acts attributed against him. Hence, this Court is not inclined to grant pre-arrest bail to the petitioner by exercising its discretionary jurisdiction. Therefore, this Court finds no merit in the Criminal Petition, and the same is liable to be dismissed.

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

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

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DR. Y. LAKSHMANA RAO, J

Date: 12.11.2026
BMS