APHC010603652026

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

FRIDAY, THE 20th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10174/2026

Between:

1. LANJAPALLI SRINIVASARAO, S/O VENKATA SWAMY MUSALAYYA,HINDU, AGED 52 YEARS,R/O PIDIMGOYYI VILLAGE,RAJAMAHENDRAVARAM RURAL 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 of New Act, (for brevity 'the BNSS') and U/Sec. 438 of Cr. P. C by the Petitioner/Accused No.1 for granting of pre-arrest bail in connection with Crime No.293 of 2026 of Prohibition & Excise Station, Rajamahendravaram South, East Godavari District, was registered for the alleged offence punishable under Sections 7-B read with 8-A & 8-B of the Andhra Pradesh Prohibition Act, 2000.

2. Mr. B.Paramesewara 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 Rohit, the learned Assistant Public Prosecutor, vehemently opposed the grant of pre-arrest 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 pre-arrest bail, there is a strong likelihood that he may abscond, thereby hampering the ongoing investigation and evading the process of law. There are fifteen adverse antecedents reported against the petitioner. Hence, it is urged that the petition be dismissed.

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

5. On perusal of the record, the petitioner is arraigned as Accused No.1 in this case. The allegation against him is that he was involved in the possession of 35 litres of ID Liquor and 300 litres of FJ Wash. The petitioner is a permanent resident of East Godavari District and has got fixed abode. There are four adverse antecedents reported against the petitioner.

6. 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.

7. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations, and the material available on record, this Court is not inclined to grant pre-arrest bail to the petitioner/Accused. Accordingly,

[1] 2026 SCC Online 188

this Court finds no merit in the Criminal Petition, and the same 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.

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DR. Y. LAKSHMANA RAO, J

Date: 20.11.2026
VMM/VBR

144

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

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