

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.428 of 2026

DATE: 22.01.2026

Between:

Boya Kishan

.... Petitioner/A-3

AND

The State of Telangana,
Through the Station House Officer,
Dundigal Police Station,
Cyberabad Commissionerate,
Represented by the Public Prosecutor,
High Court for the State of Telangana,
Hyderabad.

.... Respondent

ORDER

This criminal petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/Accused No.3 seeking enlargement on bail in connection with Crime No.1086 of 2025 of Dundigal Police Station, Cyberabad Commissionerate. The offences

alleged against the petitioner are under Sections 103, 49 read with 3(5) of BNS.

2. The brief facts of the case are that, on 08.11.2025, the *de-facto* complainant, who is the mother of the deceased lodged a report with the police stating that her daughter was killed by unknown persons. She further stated that her daughter was blessed with two sons and that disputes thereafter arose between her daughter and son-in-law. As a result, her daughter began living separately. In the meantime, the petitioner became acquainted with the deceased, and the petitioner's family members bore a grudge against her daughter . It is alleged that Accused Nos. 1 to 4 conspired together and killed the deceased. Based on this complaint, the police registered a case against the petitioner for the said offences

3. Heard Sri P. Vikasraj, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of the learned counsel for the petitioner is that, even according to the prosecution, the petitioner has not participated in the commission of the offence. The only

allegation against the petitioner is that he was instrumental in planning the murder of the deceased and that he gave instructions to Accused Nos. 1 and 2 to kill the deceased, who, acting on his instructions, committed the offence. He further submitted that, although the petitioner was not present at the scene of offence, he has been falsely implicated and that, there are previous criminal cases against the petitioner, those cases relate only to property offences, as he is engaged in the real estate business. The petitioner has been in judicial custody since 09.11.2025, and the material part of the investigation has already been completed, including the recording of the statement under Section 183 of the BNSS. Hence, he prayed that the Court grant bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the allegations are grave in nature and that the petitioner was instrumental in the killing of the deceased. He also pointed out that the petitioner has a past criminal history. He further submitted that the investigation is still in progress and that releasing the petitioner on bail at this stage may result in tampering with

evidence and threatening witnesses. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it is noted that the petitioner has been in judicial custody since 09.11.2025. As per the remand case diary, prosecution witnesses L.Ws. 1 to 20, including the investigating officer, have already been examined. Taking into account the fact that, even according to the prosecution, the petitioner did not directly participate in the killing of the deceased, except for the allegation that Accused Nos.1 and 2 committed the offence at his instance, and considering the stage of investigation and the period of incarceration, this Court finds it appropriate to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned VIII Additional Metropolitan Magistrate, Cyberabad at Medchal.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday and Friday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date: 22.01.2026
SS

K. SUJANA, J

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.428 OF 2026

DATE : 22.01.2026

SS