

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.3951 of 2026

DATE: 25.03.2026

Between:

Raini Ganeshwar

...Petitioner/Accused

AND

The State of Telangana,
Rep.by its Pubic
Prosecutor, High Court
for the State of Telangana.
Hyderabad

Through its PS Dharmasagar. Respondent

ORDER

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused in Crime No.369 of 2025 on the file of Dharmasagar Police Station, Warangal District, registered for the offences punishable under Sections 105, 125 (a) of the BNS.

2. Heard Sri V.T.Kalyan, learned counsel for the petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State.

3. The case of the prosecution is that on 12.12.2025 the complainant came to the police station and lodged a report, wherein it is stated that her husband and other relatives after

registering the complaint return back to Unikicherla Village in an Auto registration AP-36-W-2354 driven by her brother. Upon reaching Kuda Venture, Unikicherla Village, the accused who was driving his KTM motor cycle bearing No.TG 03 TR 8676 in a rash and negligent manner in opposite direction and dashed the auto from front side, as a result of the passengers fell on the road and sustained injuries. The complainant's husband succumbed to injuries while undergoing treatment. Hence, she requested the police to take necessary action against the said complaint. Basing on the same police registered a case for the aforesaid offences.

4. Learned counsel for the petitioner-accused would submit that upon bear perusal of the complaint the alleged offence under Section 105 of BNS is not made out. If at all any case has been made basing on the complaint by the de facto complainant it would falls under Section 106 (1) of BNS and it cannot fall under Section 105 of the BNS. It is further contended that though the complaint alleges that the accused was in intoxicated condition while driving, no medical test for alcohol deduction was conducted. The de facto complainant and the deceased were travelling in the fully packed auto rickshaw. Further, the petitioner is a student studying Engineering and hence, requested to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the same and submits that the offence is

under Section 105 of BNS; that report was already sent to medical examination and it is awaited; due to rash and negligent driving of the husband of the complainant died; that the allegations levelled against the petitioner are serious in nature and hence, the petitioner is not entitled for bail and hence, he prays to dismiss the bail.

6. Considering the submissions made by learned counsel for both parties and perusal of the material on record, it appears that the petitioner is a student aged about 21 years studying Engineering. Even according to the prosecution case, it collusion between two vehicles and the petitioner also sustained injuries. As on today, the prosecution has not filed to prove that the accused is in intoxication condition as on the date of alleged incident. Considering the allegations against the petitioner and that the petitioner is a student, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(i) The petitioner-accused shall surrender before the Station House Officer, Dharmasagar Police Station, Warangal District, within two (2) weeks from today, and on such surrender, the petitioner shall be released on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each.

(ii) On such release, the petitioner shall appear before the concerned Investigating Officer on every Wednesday between 09:00 a.m, and 05:00 p.m., for a period of eight (8) weeks or till the filing of the charge sheet, whichever is earlier, and thereafter, as and when required.

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(iii) The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 25.03.2026

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