

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4369 of 2026

DATE: 01.04.2026

BETWEEN:

Subhan and 14 others

..... Petitioners/A.1, 3, 4, 28,
29, 30, 31, 51, 33, 35,
36, 42, 60, 61 and 63

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad
Through the Station House Officer,
P.S. Banswada Town, Kamareddy District.

..... Respondent/Complainant

ORDER

This Criminal Petition is filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-
arrest bail to the petitioners, who are arrayed as accused Nos. 1, 3,
4, 28, 29, 30, 31, 51, 33, 35, 36, 42, 60, 61 and 63 in Crime No.53
of 2026 before the Banswada Town Police Station, Kamareddy

District, registered for the offences punishable under Sections 191(1), 191(2), 191(3), 109, 324(4), 140 and 132 read with 190 of BNS and Sections 3 and 5 of PDPPA.

2. The brief facts of the case are that, the *de facto* complainant, who is the driver of the bus lodged a report before the police on 22.02.2026, stating that on 20.02.2026 he was assigned Service No.05 duty from Pitlam to Banswada. As part of his duty, he and the conductor, took Bus No. AP17Z0025 at about 1830 hours, went to Pitlam, and after boarding passengers there, were returning to the Banswada bus stand at about 2030 hours. When they reached in front of the Government Hospital, Banswada, two groups belonging to the Hindu and Muslim communities had gathered on the road and were fighting, thereby provoking communal tensions. Members of the Muslim community were allegedly creating panic among the public and throwing stones. They approached his bus and pelted stones at the rear glass, causing it to break. Out of fear that they might be killed, all the passengers got down from the bus and fled, and the complainant and the conductor also alighted and moved aside for safety. After the mob dispersed, they took the bus back to the depot. Hence, requested the police to take necessary action. Based on this

report, the police registered a case against the accused for the above-mentioned offences.

3. Heard Sri Mohd. Moin Ahmed Quadri, learned counsel appearing on behalf of the petitioners, and Sri E. Ganesh, learned Assistant Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the said allegations and have been falsely implicated, and that they were not identified by the *de facto* complainant. He further submitted that, for the very same incident, the police registered multiple FIRs bearing Nos. 48, 49, 54, 55, and 65, which amounts to double jeopardy, and that in view of the settled principles of law, several crimes cannot be registered for the same incident based on multiple complaints from different *de facto* complainants. He further contended that the other accused have already been granted bail, and that the petitioners are ready and willing to cooperate with the investigation. Hence, he prayed that this Court grant pre-arrest bail to the petitioners by allowing the present Criminal Petition.

5. On the other hand, learned Assistant Public Prosecutor opposed the submissions, contending that the allegations against the petitioners are severe and grave in nature, as they not only attempted to kill or murder but also damaged public property. He further submitted that the investigation is at a nascent stage and that custodial interrogation of the petitioners is necessary for effective investigation. Accordingly, he prayed for dismissal of the Criminal Petition.

6. In light of the submissions made by both learned counsel and upon perusal of the material available on record, it appears that the allegation against the petitioners is that they pelted stones at the bus, resulting in damage to the rear glass. It is the specific contention of the petitioners that multiple FIRs have been registered in relation to the same incident. As seen from the complaint, and there are no specific allegations to the petitioners as alleged in the complaint. The record further indicates that the petitioners have not been identified by the *de facto* complainant, and that several co-accused have already been granted bail. Having regard to the facts and circumstances of the case and the nature of the allegations, this Court deems it fit to grant pre-arrest bail to the petitioners, subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Banswada Town

Police Station, Kamareddy District within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- each with two sureties, for the like sum each.

- ii. The petitioners 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.
- iii. The petitioners 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 filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 01.04.2026
SS

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