

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4564 of 2026

DATE: 07.04.2026

BETWEEN:

Gayaz Ahmad @ Gayaz Ahemad and 3 others

.....Petitioners/ accused Nos.1 to 4

AND

State of Telangana,
Rep by its Public Prosecutor,
High Court for the State of Telangana,
At Hyderabad.

.....Respondent

ORDER

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, “BNSS”), seeking grant of pre-arrest bail to the petitioners, who are arrayed as Accused Nos.1 to 4 in Crime No.102 of 2026 on the file of Echoda Police Station, Adilabad District, registered for the offences punishable under Sections 109, 118(1), 115(2), 296(b)

read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short, “BNS”).

2. The brief facts of the case are that the *de facto* complainant lodged a report on 06.03.2026 stating that on the same day at 14.30 hours, while he was arguing with the ration shop dealer regarding a ration-related issue, the accused persons allegedly abused him in filthy language and beat him with their hands. It is further stated that when his father, brother and cousin intervened, accused Nos.5 to 8 assaulted them with sticks and iron rod, causing injuries, including injuries to the head. It is also alleged that Accused No.6 assaulted the complainant’s brother and caused injury to his eye. It is further stated that the complainant and his family members are facing threats to their lives from the accused persons. Based on the said report, a case in Crime No.102 of 2026 was registered for the offences under Sections 109, 118(1), 115(2), 296(b) read with Section 3(5) of BNS.

3. Heard Sri C. Sharan Reddy, learned counsel appearing on behalf of the petitioners as well as Sri M. Ramachandra Reddy,

learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners/Accused Nos.1 to 4 contended that the petitioners are innocent and have been falsely implicated in the present case. It is submitted that the allegations made in the complaint are general and omnibus in nature, without attributing any specific overt acts to the petitioners. It is further contended that, as per the complaint itself, the specific allegations of causing injuries with sticks and iron rods are attributed only to Accused Nos.5 to 8, and there are no allegations that the present petitioners used any weapons or caused any grievous injuries. At the most, the allegation against the petitioners is that they abused and pushed the complainant, which does not attract the serious offences alleged by the prosecution. Learned counsel further submitted that the injuries sustained by the victims are simple in nature and that the petitioners were not responsible for the same. Learned counsel, therefore, prayed that this Court may be pleased to grant anticipatory bail to the petitioners/Accused Nos.1 to 4 by allowing the Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, stating that the allegations against the petitioners are serious in nature and disclose their active participation in the commission of the offence along with Accused Nos.5 to 8. Therefore, the petitioners are not entitled to the relief of anticipatory bail. It is further contended that the incident resulted in injuries to multiple victims, including head injuries caused with sticks and an iron rod, which clearly indicates the violent nature of the attack. Though specific overt acts are attributed to Accused Nos.5 to 8, the petitioners, being members of the unlawful assembly, are equally liable for the acts committed in furtherance of the common intention. Therefore, he prayed this Court to dismiss the Criminal Petition, as the petitioners are not entitled to the discretionary relief of anticipatory bail.

6. Having considered the submissions made by the learned counsel on either side and upon perusal of the material available on record, it appears that the allegation against the petitioners is that they abused the *de facto* complainant in filthy language whereas

the specific allegation against Accused Nos.5 to 8 is that they assaulted the *de facto* complainant and his family members with sticks and an iron rod, causing injuries, including head injuries. Thus, the overt acts attributed to the present petitioners are not serious in nature and do not involve use of any weapons. Having regard to the nature of allegations, the role attributed to the petitioners, this Court is of the opinion that the petitioners are entitled to be granted anticipatory bail

7. Accordingly, the Criminal Petition is allowed, the petitioners/Accused Nos.1 to 4 shall be released on bail in the event of his arrest in Crime No.102 of 2026 on the file of Echoda Police Station, Adilabad District, subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Echoda Police Station, Adilabad, 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 to the satisfaction of the concerned Station House Officer.

- 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 Monday 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.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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