

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.7400 of 2026

DATE: 06.05.2026

Between:

Shaik Mustafa @ Bodal Saheb and another

.... Petitioners/Accused
Nos.1 and 3

AND

The State of Telangana,
Through S.H.O., Mudigonda P.S.,
Khammam District, Rep. by its Public Prosecutor,
High Court at Hyderabad, Hyderabad.

.... Respondent/Complainant

:O R D E R:

This Criminal Petition is filed seeking the Court to enlarge the petitioners on bail, who are arrayed as accused Nos.1 and 3 in Crime No.78 of 2026 of Mudigonda Police Station, Khammam District, registered for the offences punishable under Sections 140(1), 61(2), 115(2), 351(2) read with 3(5) of BNS.

2. The brief facts of the case are that on 25.03.2026, defacto complainant lodged a report before the Police stating that at about 05:30 hours, her husband went for a morning walk and did not return, and was found missing. During her enquiry with one Battini Srinivasa Rao, she came to know that a white-colour Ashok Leyland vehicle had passed towards their village around that time. The de facto complainant expressed suspicion that Shaik Fakruddin and Shaik Bodal Saheb might have taken her husband away due to previous land disputes. Hence, requested the Police to take necessary legal action. Basing on the said complaint, a case was registered against them for the above said offences.

3. Heard Sri C. Hari Preeth, learned counsel appearing on behalf of the petitioners as well as Sri M. Ramachandra Reddy, learned Additional Public Prosecutor for Respondent -State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the alleged offences and that due to previous land disputes between the parties they have been falsely implicated in the present case out of grudge. He further submitted that the petitioners have been in judicial custody since 02.04.2026 and that the material part of the investigation has already been

completed. Therefore, he prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners, contending that the allegations against the petitioners are serious and grievous in nature and the investigation is still in progress. He further submitted that a requisition for conducting a Test Identification Parade has already been filed, and at this stage, the petitioners are not entitled to bail. Therefore, prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the petitioners are arrayed as accused Nos.1 and 3, and the allegations disclose that they are known to the de-facto complainant, though a Test Identification Parade is stated to be required. It is also noted that the petitioners have been in judicial custody since 02.04.2026. As per the remand case diary, prosecution witnesses, i.e., LWs.1 to 10, including the Investigating Officer, have already been examined. Considering the overall facts and circumstances of the case, the stage of investigation, and the period of incarceration, this Court is inclined to grant bail to the

petitioners/accused Nos.1 and 3, subject to the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned Judge, Family Court-cum-IV Additional Sessions Court, Khammam.
- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday 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.
- iii. The petitioners shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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SS

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