

THE HON'BLE Ms. JUSTICE B.S.BHANUMATHI

Criminal Petition No.2275 of 2023

ORDER:

This Criminal Petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner/Accused in Crime No.160 of 2022, dated 18.05.2022 of Special Enforcement Bureau, Salur, Parvathipuram District, registered for the offences punishable under Sections 7-B r/w 8(b) of A.P. Prohibition Act, 1995.

2. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor representing the respondent/State.

3. The case of the prosecution is that on 18.05.2022, the Enforcement Sub-Inspector of SEB, Salur, Parvathipuram along with his staff was conducting patrol at Kondakenguva village limits and found a male person with one bag in his right hand walking there but, on seeing the police, escaped from the scene of offence leaving the bag and his identity could be found on verification with the elders. The police found the bag containing two plastic bottles having ID liquor of 2 liters in one bottle and one liter in the other.

4. Learned counsel for the petitioner submitted that it is a false case foisted against him. The petitioner is innocent and a student and has not committed any offence.

5. The learned Assistant Public Prosecutor opposed the petition and submitted that the investigation is not yet completed and the charge sheet is not filed.

6. Perused the record.

7. Since the allegations against the petitioner are made in a very routine and casual manner without any details of the elders who they enquired etc., it is a case fit for grant of anticipatory bail.

8. In the result, the criminal petition is allowed. The petitioner/Payakarao Soma Sekhar (accused) is directed to be released on bail in the event of his arrest in Crime No. 160 of 2022, dated 18.05.2022 of Special Enforcement Bureau, Salur, Parvathipuram District, registered for the offences punishable under Sections 7-B r/w 8(b) of A.P. Prohibition Act, 1995, on furnishing his personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for the like sum to the satisfaction of the Station House Officer, Special Enforcement Bureau, Salur, Parvathipuram District, and subject to complying the following conditions:

- (i) The petitioner/ Payakarao Soma Sekhar (accused) is directed to appear before the Station House Officer, Special Enforcement Bureau, Salur, Parvathipuram District, on every Sunday between 10:00 AM and 5:00 PM until further orders or till charge sheet is filed whichever is earlier;
- ii) the petitioner shall be available for investigation as and when required by the Investigating Officer;

(iii) the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Investigating Officer;

(iv) the petitioner shall not leave the jurisdiction of the Court without the previous permission of the S.H.O. concerned until further orders or till charge sheet is filed whichever is earlier;

Pending miscellaneous petitions, if any, shall stand closed.

Dt.03.04.2023

PNV

B.S.BHANUMATHI, J