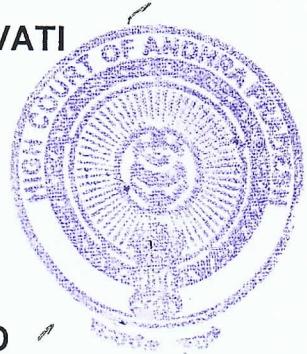


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI



THURSDAY, THE THIRTY FIRST DAY OF JULY

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7750 OF 2025

Between:

Raparthi Apparao, S/o Satyanarayana, Aged about 43 years, R/O D.No.2-131, Eetha Thota, Tatiparthi, East Godavari District.

...Petitioner/A-2

AND

The State of Andhra Pradesh, Represented by its Public Prosecutor, Through Prohibition and Excise Station, Pithapuram, East Godavari District.

...Respondent

Petition under Section 482 of BNSS/ Under Section 438 of Cr.P.C praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to release the Petitioner/Accused No.2, on bail in the event of his Arrest in Crime No. 178 of 2025, on the file of Prohibition and Excise Station, Pithapuram, East Godavari District.

The Petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of SRI KARRE SATYANANDAM Advocate for the Petitioner, and of PUBLIC PROSECUTOR, for the Respondent, the Court made the following

The Court made the following:

ORDER:

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the petitioner/Accused No.2 for granting of pre-arrest bail in connection with Crime No.178 of 2025 of Prohibition and Excise Station, Pithapuram, registered for the alleged offences punishable under Section 34 (a) & (f) of the Andhra Pradesh Excise Act, 2020 (for brevity 'the Act').

2. The case of the prosecution is that on 25.06.2025 at about 02.50 p.m., on receipt of reliable information, the Prohibition and Excise Inspector, and staff and mediators conducted a raid at a hut near the S.C. Ramalayam of Tatiparthi Village, Gollaprolu Mandal, belonging to A1. Upon seeing the officers, Accused No.1 attempted to escape but was apprehended. On questioning, he admitted possession of IML and beer bottles, some with tampered neck caps. Seized items include: 19 nips of Royal Lancer Whisky (180 ml, neck caps tampered) 6 nips of Sentini Special Whisky (180 ml, neck caps tampered) 10 nips of Tropicana VSOP Brandy (180 ml) 8 bottles of Kingfisher Strong Beer (650 ml) One Android mobile phone (MOTO-G85 5G, IMEI details and PhonePe number provided) Accused No.1 confessed that he was selling non-duty paid liquor brought from Yanam, Puducherry, after tampering and rebranding the

bottles with Andhra Pradesh State brand labels to earn higher profits. He also admitted purchasing 96 such bottles from a person (A2) and made a PhonePe payment of ₹6,000 on 23.06.2025 to the account linked to "Lakshmi Karthikeya Handlooms." He claimed that the duty-paid liquor found during the raid was purchased legally from licensed shops in Gollaprolu for loose sales to earn a livelihood. The accused was arrested and the offence was explained to him. His father was informed. Based on the confession given by Accused No.1, a case was registered against the petitioner/Accused No.2.

3. Sri K.Satyanandam, the learned counsel for the petitioner submits that the petitioner has not committed any offence; he was falsely implicated in this case; he is the sole breadwinner of his family; he is ready to abide any conditions to be imposed by this Court; and urged to grant pre-arrest bail to the petitioner/Accused No.2.

4. *Per contra*, Ms. P.Akila Naidu, the learned Assistant Public Prosecutor, opposed in granting of bail stating that investigation is not yet completed; if the petitioner is granted pre-arrest bail, he will repeat the same offence and urged to dismiss the bail petition.

5. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

6. As seen from the record, the allegation of the prosecution is that the petitioner/Accused No.2 supplied ID liquor to Accused No.1. Based on the phone transactions between Accused No.1 and Accused No.2, the police arrayed the petitioner accused in the case. Whereas, the learned counsel for the petitioner submits that the petitioner is a weaver and he is doing sarees business, he sold some sarees to Accused No.1. The phone transactions between Accused No.1 and Accused No.2 are relating to the purchase of the sarees. Because of the political rivalry, the petitioner was shown as accused. The learned Assistant Public Prosecutor submits that there are no adverse antecedents against the petitioner. The petitioner is a permanent resident of Eetha Thota of Tatiparthi Village, East Godavari District. He has landed property, he would not escape from the clutches of the law, if he is granted the pre-arrest bail.

7. For the above reasons, considering the gravity and nature of the allegations against the petitioner/Accused No.2, this Court deems it fit to grant pre-arrest bail to the petitioner/Accused No.2.

8. In the result, the Criminal Petition is allowed with the following conditions:

- i. In the event of his arrest, the petitioner/Accused No.2 shall be enlarged on bail subject to he executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)

Dr. YLR,
Crl.P.No.7750 of 2025
Dated 31.07.2025

with two sureties for the like sum each to the satisfaction of the arresting police officials;

ii. The petitioner/Accused No.2 shall make himself available for investigation as and when required;

iii. The petitioner/Accused No.2 shall not cause any threat, inducement or promise to the prosecution witnesses;

iv. The petitioner/Accused No.2 shall appear before the Station House Officer concerned oncein a week i.e., on every Saturday between 10.00 a.m. and 5.00 p.m., till filing of the charge sheet.

v. The petitioner/Accused No.2 shall not leave the district limits without the express permission from the Station House Officer concerned.

vi. The petitioner/Accused No.2 shall surrender his passport, if any, to the investigating officer. If he claims that he does not have a passport, he shall submit an affidavit to that effect to the Investigating Officer.

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

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To,

1. The Station House Officer, Prohibition & Excise Station, Pithapuram, East Godavari District
2. One CC to SRI. KARRE SATYANANDAM Advocate [OPUC]
3. Two CCs to PURI IC PROSECUTOR High Court of Andhra Pradesh

HIGH COURT

DR.YLR,J

DATED:31/07/2025

BAIL ORDER

CRLP.No.7750 of 2025

ALLOWED

