

(2025) 01 AP CK 1527

In the Andhra Pradesh High Court, Amaravati

Case No : Criminal Petition No. 9754 Of 2024

Attar Chand Basha

APPELLANT

Vs

State Of Andhra Pradesh

RESPONDENT

Date of Decision : 03-01-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 482

Bharatiya Nyaya Sanhita, 2023 — Section 3(5), 318(4), 338, 340(2)

Citation : (2025) 01 AP CK 1527

Hon'ble Judges : K Sreenivasa Reddy, J

Bench : Single Bench

Advocate : B.Abhay Siddhanth Mootha

Final Decision : Allowed

Judgement

K.Sreenivasa Reddy, J

1. This Criminal Petition, under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed by the petitioner/A6, seeking anticipatory bail, in connection with Crime No.182 of 2024 of Kadiri Rural U/G Police Station, Sri Satya Sai district.

2. A case has been registered against the petitioner herein and others for the offences punishable under Sections 318(4), 338 and 340(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Case of the prosecution, in brief, is that, prior to 26.12.2024, A1 to A4 deceived the needy poor people by giving fake house plots/house pattas in Survey No.470 of Kadiri Revenue village, located at Sunnapugutta thanda village fields by saying that they had been granted house pattas by the Government and took Rs.50,000/- to Rs.2.00 Lakhs per patta from them. On coming to know of the same through villagers, the Tahsildar, enquired into the matter through VRO of Kadiri Mandal and filed the present complaint against the accused. The allegation against the petitioner herein/A6 is that he abetted the commission of

offence by the other accused in creating fake patta documents.

4. Heard. Perused the record.

5. A perusal of the contents in the FIR coupled with the confessional statement of co-accused go to show that the accusation against the petitioner herein/A6 is that he is alleged to have abetted the other accused to commit the offence of creating fake patta documents. Except the said confession of co-accused, there is no other material to connect the petitioner herein/A6 to the alleged crime. The petitioner herein/A6 is an Ex-MLA of Kadiri Constituency.

6. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner herein /A6 on the following conditions.

i) In the event of arrest of the petitioner herein/A6 in the aforesaid crime, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like sum each to the satisfaction of the concerned Arresting Officer.

ii) Petitioner shall make himself available for interrogation by a police officer as and when required, and he 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 police officer.

iii) Petitioner shall appear before the Station House Officer concerned once in a week i.e., on every Sunday between 10.00 AM and 01.00 PM till filing of charge sheet.

7. Accordingly, the Criminal Petition is allowed.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.