

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

**FRIDAY, THE FOURTEENTH DAY OF JUNE  
TWO THOUSAND AND NINETEEN**

**:PRESENT:  
THE HON'BLE JUSTICE G.SRI DEVI**

**CRIMINAL PETITION NO: 2911 OF 2019**



**Between:**

J.Shankar Singh, @ Nala Shankar, S/o. Sheetal Singh

Petitioner/Accused-2

**AND**

The State of Telangana, rep. by Public Prosecutor, High Court, Hyderabad.

Respondent

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed therein, the High Court may be pleased to direct the Station House Officer, PS Excise Dhoolpet, Hyderabad, to release the Petitioner/Accused No.2 on Bail in the event of his arrest in connection with Crime No.334/2019 at P.S. Excise Dhoolpet, Hyderabad;

**Counsel for the Petitioner : SRI VIKRAM RAGI**

**Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR**

**The Court made the following ORDER:**

CRIMINAL PETITION No.2911 of 2019

**ORDER:**

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner, who is A.2 in Crime No.334 of 2019 of Excise Police Station, Dhoolpet, Hyderabad, registered for the offence punishable under Section 8 (c), r/w. Section 20 (b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity "the NDPS Act"), seeking anticipatory bail.

The case of the prosecution is that on 11.05.2019 at about 11.15 a.m., the Prohibition and Excise officials received a credible information about illegal possession of dry ganja in front of the house bearing No.14-11-270, Mangalhat, Hyderabad, and on conducting a raid, the officials have noticed a person selling dry ganja, that immediately the officers and staff apprehended the said person/A.1 and seized 1.2 Kgs of dry ganja from his possession under the cover of panchanama and that the said person/A.1 in his confessional statement disclosed that he used to work for petitioner/A.2, that basing on the said report, the police have registered the above Crime No.334 of 2019 for the aforesaid offences against A.1 and the petitioner/A.2.

Heard learned counsel for the petitioner/A.2 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner/A.2 contends that only basing on the confessional statement of A.1, the police have implicated the petitioner/A.2 in a false case and that the petitioner/A.2 has nothing to do with the present crime. It is also contended that the petitioner/A.2 is doing a private business and he never involved in any illegal transportation or sale of dry ganja and that the petitioner/A.2 has no criminal antecedents. It is also contended that the Court below has dismissed anticipatory bail application of the petitioner vide order dt.29.05.2019 in CrI.MP.No.1801 of 2019. It is also contended that most part of investigation has already been completed, except filing of charge sheet, and that the petitioner is ready to abide by any of the conditions imposed by this Court and would cooperate with the investigation, if he is released on anticipatory bail in the event of his arrest in connection with the aforesaid crime.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the relief sought in the above petition.

Admittedly, no contraband has been seized from the possession of the petitioner/A.2. Even at the time of seizure of the contraband from A.1, there is nothing on record to show that the petitioner/A.2 is also present at the scene of offence, except a bald statement of A.1 that he used to work for the petitioner/A.2. Therefore, by taking into consideration the nature of allegations made against the petitioner and also

keeping in view the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner/A.2 by imposing some conditions.

In the result, the criminal petition is allowed and the petitioner/A.2 is directed to be released on bail in the event of his arrest in connection with Crime No.334 of 2019 of Excise Police Station, Dhoolpet, Hyderabad, on his executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two local sureties for a like sum each to the satisfaction of the said Station House Officer and subject to the condition (i) that the petitioner/A.2 would cooperate with the investigation agency and (ii) that the petitioner/A.2 would report before the above Police Station, on every Tuesday and Friday between 10-00 a.m. and 11-00 a.m. till completion of investigation and filing of charge sheet, whichever is earlier.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

**SD/- N.PURUSHOTHAM REDDY**  
**ASSISTANT REGISTRAR**

For ASSISTANT REGISTRAR

To,

1. The I Addl. Metropolitan Sessions Judge, Hyderabad.
2. The Judicial First Class Magistrate, Hyderabad.
3. The Station House Officer, P.S. Excise Dhoolpet, Hyderabad.
4. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
5. One CC to Sri Vikram Ragi, Advocate (OPUC)
6. one Spare copy

HIGH COURT

GSD,J

DATE: 14-6-2019

ORDER

CRL.P. NO. 2911 OF 2019

PETITION ALLOWED

