

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

WEDNESDAY, THE EIGHTEENTH DAY OF SEPTEMBER TWO THOUSAND
AND NINETEEN

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 4077 OF 2019



Between:

Musunuru Omkar, (A.2), S/o Narsimha Rao

Petitioner/Accused No.2

AND

The State of Telangana, Through Saroornagar Police Station, Rep. by its Public
Prosecutor, High Court for the State of Telangana, Hyderabad.

Respondent

Petition under Section 437 & 439 of Cr.P.C, praying that in the
circumstances stated in the Criminal Petition and Memorandum of grounds,
the High Court may be pleased to release the Petitioner/A2 on bail in Crime
No. 174 of 2019 on the file of Saroornagar Police Station, Ranga Reddy 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 SUNIL GAWASANE Advocate for the Petitioner and Additional
Public Prosecutor for the Respondent, the Court made the following.

ORDER:

HON'BLE Ms. JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4077 of 2019

ORDER :

The petitioner, who is Accused No.2, has filed the present Criminal Petition under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in Crime No.174 of 2019 of Saroornagar Police Station, Ranga Reddy District, registered for the offence punishable under Section 8(c) r/w. Section 21(b) of the NDPS Act.

Learned counsel for the petitioner contends that contraband has been seized from the possession of A.1 and the name of the petitioner/A.2 has come to light in the confessional statement of A.1 and there is no other material to connect the petitioner with the alleged offence. Nothing has been seized from the possession of the petitioner/A.2 and he is innocent of the offence alleged against him. It is also contended that A.1 was already released on bail by the Sessions Court vide order dt.24.05.2019 in CrI.MP.No.2451 of 2019 in Crime No.174 of 2019; and A.5 was released on bail by this Court vide order 03.06.2019 in CrI.P.No.2348 of 2019 and hence on the ground of parity, the petitioner is also entitled for grant of bail. It is contended that material part of investigation is completed and the petitioner is ready to abide by any conditions imposed by this Court.

On the other hand, though the learned Additional Public Prosecutor opposed the bail application, he, however,

conceded to the fact of release of A.1 and A.5 on bail as mentioned above.

A perusal of the First Information Report would disclose that contraband has been seized from the possession of A.1 and the name of the petitioner/A.2 has come to light in the confessional statement of A.1. Nothing has been seized from the possession of the petitioner/A.2. Since the main accused have already been released on bail, on the ground of parity, I am inclined to grant bail to the petitioner on certain terms and conditions.

Accordingly, this Criminal Petition is allowed and the petitioner/A.2 shall be released on bail on his executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the Metropolitan Sessions Judge, Cyberabad, Ranga Reddy District at L.B. Nagar, and on a further condition that the petitioner/A.2 shall appear before the Station House Officer, Saroornagar Police Station, on every Monday between 5.00 p.m. and 6.00 p.m. and mark his presence for a period of one month or till filing of the charge sheet, whichever is earlier.

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

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SD/- K.SAILESHI
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The Metropolitan Sessions Judge, Cyberabad, Ranga Reddy District at L.B. Nagar
2. The VI Additional Metropolitan Magistrate, Rachakonda, L.B. Nagar
3. The Superintendent, Central Prison, Cherlapally.
4. The Station House Officer, Saroornagar Police Station, Ranga Reddy District
5. One CC to SRI. SUNIL GAWASANE Advocate [OPUC]
6. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
7. One spare copy

Avs

HIGH COURT

GSDJ

DATED:18/09/2019

ORDER

CRLP.No.4077 of 2019

BAIL

