

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

MONDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY -

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI ✓

CRIMINAL PETITION NO: 868 OF 2020 ✓

Between:

Sri NaraganiNagaraju, S/o Somanna,

Petitioner/Accused No.2

AND

The State of Telangana, Through SHO, P and E Uppal PS, Rep by
its Public Prosecutor, High Court at Hyderabad.

Respondent

Petition under Section 437& 439 of Cr.P.C, praying that in
the circumstances stated in the grounds filed in support of the
Criminal Petition, the High Court may be pleased to enlarge the
petitioner on bail in connection with COR NO 170/2019 on the file
of PS P and E, Uppal ✓

The petition coming on for hearing, upon perusing the
Petition and the grounds filed in support thereof and upon
hearing the arguments of SRI PARSA ANANTH NAGESWAR RAO
Advocate for the Petitioner and the ADDITIONAL PUBLIC
PROSECUTOR for the Respondent, the Court made the following.

ORDER

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.868 OF 2020

ORDER:

The petitioner/A-2 filed the present Criminal Petition under Sections 437 and 439 of the Code of Criminal Procedure seeking to grant bail to him in Crime No.170 of 2019 of P.S. Uppal, Ranga Reddy District, which was registered for the offence punishable under Section 8(c) read with Section 20 (b)(ii)(c) of the NDPS Act, 1985.

The allegation against the petitioner/A-2 is that on 09.11.2019 at 9.30 am, the SHO, P.S. P & E Uppal along with his staff conducted route watch at Bus Stop, Nehru Nagar, Mallapur, Uppal and found A-2 and A-2 proceeding in Tiago Car bearing No.TS-27-A-2007 and stopped them and on search found them in possession of 22 kgs of dry ganja in 11 packets each weighing 2 kgs and seized the same under a cover of panchanama.

Learned Additional Public Prosecutor opposed to grant bail to the petitioner/A-2.

Learned counsel for the petitioner/A-2 submits that the petitioner/A-2 has not committed any offence and no ganja was seized from the possession of the petitioner. The petitioner is a student and his parents are agriculturists. It is further submitted that the authorities have not followed the procedure contemplated under the Act. The petitioner is a law-abiding citizen and is ready to abide by any condition that may be

imposed by this Court. Hence, it is prayed to consider the petitioner's application for bail.

Looking into the facts and circumstances of the case and taking into consideration the gravity of the offence alleged and as the ganja seized from the petitioner is little bit higher than the commercial quantity and the petitioner has been in jail since 09.11.2019, I am inclined to grant bail to the petitioner/A-2.

The Criminal Petition is allowed and the petitioner/A-2 shall be released on bail on the following terms and conditions:

- (i) That the petitioner/A-2 shall execute a personal bond for Rs.15,000/- (Rupees fifteen 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.
- (ii) that the petitioner/A-2 shall not tamper with the prosecution witnesses;
- (iii) that the petitioner/A-2 shall co-operate with the investigating agency.
- (iv) that the petitioner/A-2 shall not misuse the liberty granted to him.
- (v) That the petitioner/A-2 shall not indulge in similar type of activities in future. If it is found that he is indulged in similar type of activities in future, liberty granted to him shall automatically stands cancelled.
- (vi) That the petitioner/A-2 shall appear before the Station House Officer on every Saturday between 10 am to 5 pm till filing of charge sheet and shall personally appear before the Court below on each and every adjournment till the conclusion of trial.

Miscellaneous applications pending, if any, shall stand closed.

SD/- CH. VENKATESHWAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VII Additional Metropolitan Magistrate Court, Cyberabad at L.B.Nagar.
2. The Metropolitan Session Judge, Cyberabad, Ranga Reddy District at L.B.Nagar
3. The Superintendent Central Prison, Chenchalguda.
4. One CC to SRI. PARSA ANANTH NAGESWAR RAO Advocate [OPUC]
5. Two CC PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
6. One Spare copy

GR

HIGH COURT

GSDJ

DATED:24/02/2020

ORDER

CRLP.No.868 of 2020

BAIL

