

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

**MONDAY, THE EIGHTEENTH DAY OF MAY  
TWO THOUSAND AND TWENTY**

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

**CRIMINAL PETITION NO: 1566 OF 2020**

**Between:**

1. Mukesh Goswamy, S/o. Chokenadh,
2. Ammar Goswamy, S/o. late Bhagavandas,

Petitioners/Accused Nos. 1 & 2

**AND**

The State of Telangana, Rep. by its Public Prosecutor, High Court, at Hyderabad.

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the Petition, the High Court may be pleased to release the Petitioners on Bail pending investigation, enquiry and trial in Crime No. 239 of 2019 of Kazipet Police Station, Warangal City District, Telangana State, in the interest of justice.

The petition coming on for hearing, upon perusing the Petition filed herein, and upon hearing the arguments of Dr. Challa Srinivasa Reddy, Advocate for the Petitioners, and of the Public Prosecutor, for the Respondent, the Court made the following.

**ORDER:**

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/Accused Nos.1 and 2 seeking to grant bail to them in Crime No.239 of 2019 on the file of Kazipet Police Station, Warangal City, registered for the offence punishable under Section 8(c) read with Section 20(b)(ii) of the NDPS Act.

2. Heard the learned counsel appearing for the petitioners, learned Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner submits that the petitioners are innocent of the offences alleged against them; that they have been falsely implicated in the present case; that there is no incriminating evidence against the petitioners to presume that they have committed the alleged offence; and that the petitioners have been languishing in jail since 24.11.2019 and hence, he prayed to grant bail to the petitioners.

4. Learned Public Prosecutor opposed to grant bail to the petitioners and submitted that some stringent conditions may be imposed in the event this Court is inclined to grant bail to the petitioners.

5. Having regard to the facts and circumstances of the case, without adverting into the merits of the case, and keeping in view the peculiar circumstances prevailing in the country

due to the outbreak of pandemic Covid-19, I am inclined to grant bail to the petitioners subject to certain conditions.

6. The Criminal Petition is allowed and the petitioners/A-1 and A-2 are directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioners/A-1 and A-2 shall be released on bail on each of them executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) with two sureties, for a like sum each to the satisfaction of the Principal Judicial First Class Magistrate, Warangal and, out of which in respect of petitioner No.1 one surety shall be from his native place i.e., Jogiyna Village, Medu Mandal, Hatthras District, Uttar Pradesh State and in respect of petitioner No.2 one surety shall be from his native place i.e., Batteshwar Village, Baha Mandal, Agra District, Uttar Pradesh State.
- (ii) The petitioners/A-1 and A-2 shall not interfere with the investigation, intimidate or induce the material witnesses and they shall cooperate with the investigating agency.
- (iii) The petitioners shall not misuse the liberty granted to them.
- (iv) The petitioners shall personally appear before the Court concerned on each date of hearing.
- (v) The petitioners shall not indulge in similar type of activities in future

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

//TRUE COPY//

SD/- B. SATYAVATHI  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Sessions Judge for NDPS Cases cum I Addl. Sessions Judge, Warangal.
2. The Principal Judicial First Class Magistrate, Warangal
3. The Station House Officer, Kazipet Police Station, Warangal City District, Telangana State
4. The Superintendent, Central Jail, Warangal District.
5. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
6. one CC to Dr. Challa Srinivas Reddy, Advocate (OPUC)
7. One spare Copy

HIGH COURT

GSD,J

DATE: 18-05-2020

ORDER

CRL.P. NO. 1566 OF 2020

BAIL

