

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

**FRIDAY, THE TENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY**

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

CRIMINAL PETITION NO: 7774 OF 2019

Between:

1. Pawar Srinivas, S/o. Prem Singh,
2. Pawar Sateesh, S/o. Kishan,
3. Rathod Srikanth, S/o. Raju,

.....Petitioners/Accused No.2 to 4

AND

The State of Telangana, Through P.S. Proh and Excise Sangareddy Rep. by 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 affidavit filed in support of the Criminal Petition, the High Court may be pleased to release the Petitioners/Accused Nos. 2 to 4 on bail in connection with the Crime No. 145 of 2019, dt. 25/09/2019 on the file of Proh. and Excise Police Sangareddy in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI.PALLE SRIHARINATH Advocate for the Petitioners and ADDL.PUBLIC PROSECUTOR (TG) for Respondent, the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7774 of 2019

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused No.2 to 4 seeking to grant bail in Crime No.145 of 2019 on the file of Prohibition and Excise Police Station, Sangareddy, registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(c) of the NDPS Act.

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

3. Learned counsel for the petitioners submitted that petitioner Nos.1 and 2 are students and petitioner No.3 is an agricultural coolie; that they were no way concerned with the case; that accused No.6 hired the driver i.e., accused No.1 and proceeded to Celayru village near Andhra-Odisha border and brought 80 packets of ganja from there and dumped in the house of accused No.5 at Narsapur Thanda, Marpally Mandal and paid Rs.20,000/- to the driver as his charges; and that while the petitioners are proceeding from Zaheerabad, they got into the car of accused No.1 and in the meantime, at Budhera X roads, the excise officials apprehended the petitioners as they were sitting in the car and the contraband was seized from the car and not from the possession of the petitioners. Learned counsel further submitted that petitioner No.1 has completed his studies and he is working in a private organization whereas petitioner No.2 is a student and he has appeared for Indian

Army Recruitment examination and that due to the pendency of the criminal case, he will lose the chance to get into the army as a soldier and his career will be spoiled; and that accused No.3 is only an agricultural coolie and he is a stranger to the case; and that the petitioners are permanent residents of Jharasangam. Learned counsel further submitted that the petitioners are in judicial custody since 25.9.2019; that they are ready to furnish sufficient and solvent sureties to the satisfaction of the court in the event of their enlargement on bail; and that they are ready to abide by any conditions that may be imposed by this Court in the event of their enlargement on bail.

4. Learned Additional Public Prosecutor though opposed to grant bail to the petitioners, however conceded to the fact that accused No.1 is the transporter of the alleged ganja at the instance of accused Nos.5 and 6 who supplied the said ganja to accused No.1.

5. Looking into the nature of allegations levelled against the petitioners and the facts and circumstances of the case, without delving into the merits of the case, I am inclined to grant bail to the petitioners.

6. The Criminal Petition is accordingly allowed. The petitioners are directed to be released on bail on each of them furnishing a personal bond to the tune of Rs.15,0000/- (Rupees Fifteen thousand only) with two sureties to the like amount each to the satisfaction of the learned I Additional District and Sessions Judge, Sangareddy. The petitioners shall not tamper with the prosecution witnesses and shall co-operate with the investigating agency and they shall not

misuse the liberty granted to them. Further, the petitioners shall not indulge in similar activities in future. The petitioners are directed to appear before the Court concerned on every date of hearing till the conclusion of trial.

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

//TRUE COPY//

SD/- CH. VENKATESWARLU
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. The I Additional District and Sessions Judge, Medak at Sangareddy
2. The Judicial First Class Magistrate, Zaheerabad
3. The Superintendent, District Prison, Sangareddy, Sangareddy District
4. The Station House Officer, Prohibition & Excise Police Station, Sangareddy
5. One CC to SRI. PALLE SRIHARINATH Advocate [OPUC]
6. Two CCs PUBLIC PROSECUTOR (TG), High Court at Hyderabad (OUT)
7. One spare copy

HIGH COURT

GSD,J

DATED; 10.01.2020

CRL.P.NO.7774 OF 2019

BAIL

