

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 8598 OF 2019

Between:

Shaik @Mohammed Sohail, S/o Mohammed Ashfaq.

Petitioner/Accused No.1

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad
(through Station House Officer, Hasanparthy Police Station, Warangal Dist)

Respondent/Complainant

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 pending Crime enquiry and enquiry and trial arising out of crime No. 219 of 2019 dated 02.11.2019 on the file of P.S Hasanparthy Warangal District

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof, upon hearing the arguments of SRI MD MURTUZA ALI FARUQUI Advocate for the Petitioner and 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 petitioner/A-1 seeking to grant bail to him in connection with Crime No.219 of 2019 on the file of Hasanparthy Police Station, Warangal District, registered for the offences punishable under Sections 8 (b) and 20 (b) (ii) (B) of N.D.P.S. Act read with Section 25 (i) (a) of the Indian Arms Act.

2. Heard the learned Counsel appearing for the petitioner/A-1, learned Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner submits that the petitioner has nothing to do with the alleged offences and he has been falsely implicated in the crime. He further submits that A-3 has already been enlarged on bail by the Court below; that the petitioner is in judicial custody since 02.11.2019; that the entire

investigation has been completed and FSL report has already been filed. He further submits that the petitioner is ready to abide by any condition that may be imposed by this Court in the event of his enlargement on bail.

4. Learned Public Prosecutor though opposed the bail application, but conceded the fact that A-3 has already been released on bail and that the petitioner is languishing in jail since 02.11.2019.

5. Having regard to the aforesaid facts and circumstances of the case and in view of the fact that the petitioner/A-1 is in judicial custody since 02.11.2019, without adverting to the merits of the case, I am inclined to grant bail to the petitioner/A-1.

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

- (i) The petitioner/A-1 shall be released on bail on his 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 Special Judge for NDPS Cases-cum-I Additional Sessions Judge, Warangal.
- (ii) The petitioner/A-1 shall not interfere with the investigation, intimidate or induce the material witnesses and he shall cooperate with the investigating agency.
- (iii) The petitioner/A-1 shall not misuse the liberty granted to him.
- (iv) The petitioner/A-1 shall personally appear before the Court concerned on each date of hearing.
- (v) The petitioner/A-1 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/- K. SAILESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The V Additional Judicial First Class Magistrate at Warangal
2. The Special Judge for NDPS cases cum-I Additional Sessions Judge, Warangal.
3. The Superintendent, Central Jail, Warangal
4. The Station House Officer, PS. Hasanparthy Warangal District.
5. One CC to SRI. MD MURTUZA ALI FARUQUI Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
7. One Spare Copy

HIGH COURT

GSDJ

DATED:22/04/2020

ORDER

CRLP.No.8598 of 2019

BAIL

