

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE FOURTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRL.P. NO: 198 OF 2021

Between:

Gopisetti Nagendra Prasad, S/o Gopisetti Raghavaiah

..... Petitioner/Accused No.2

AND

The State of Telangana, through P.S Excise Quthbullapur

.....Respondent

Petition under Sections 437 & 439 of Cr.P.C. praying that in the circumstances stated in the petition filed herein, the High Court may be pleased to enlarge Petitioner/Accused No. 2 on bail, in Crime No. 32/2020 registered by PS Excise Quthubllapur, for the offence U/Sec. 8(c) R/w. Sec. 22 (c) of NDPS Act 1985, on such terms and conditions as this Court deem fit and proper.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri L Harish, Advocate for the Petitioner, and of Additional Public Prosecutor for the respondent, the Court made the following.

ORDER

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.198 OF 2021

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.32 of 2020 of P.S. Quthbullapur, Medchal District, which was registered for the offence punishable under Section 8(c) r/w 22(c) of the NDPS Act, 1985.

Heard the learned counsel for the petitioner/A-2, the learned Additional Prosecutor representing the respondent-State and perused the record.

The allegation against the petitioner/A-2 is that on 25.09.2020, on credible information about the accused transporting intoxicating chemical substances, the Excise officials conducted route watch at Raghavendra Bhavan, Gandimisamma X Road and found the accused persons in possession of 1.210 Kg CLOBAZAM and they confessed to have purchased the same from A-3 for Rs.3,00,000/- per Kg and hence, they arrested the accused.

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

Learned counsel for the petitioner/A-2 submits that the petitioner has not committed any offence as alleged by the prosecution and he is falsely implicated in the above case. The petitioner/A-2 is in custody since 16.10.2020. 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

there are no previous criminal antecedents, 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.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the Metropolitan Sessions Judge, Cyberabad, R.R. District at L.B. Nagar;
- (ii) That the petitioner/A-2 shall appear before the investigating authorities on every Saturday between 10.00 am and 5.00 pm till conclusion of investigation and submission of final report;
- (iii) That the petitioner/A-2 shall not indulge in similar type of activities in future and if it is found that he is indulged in similar type of activities in future, the liberty granted to him shall automatically stand cancelled and he would be taken into custody forthwith.
- (iv) that the petitioner/A-2 shall not tamper with the prosecution witnesses;
- (v) that the petitioner/A-2 shall co-operate with the investigating agency.
- (vi) that the petitioner/A-2 shall not misuse the liberty granted to him.
- (vii) that the petitioner/A-2 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.

Miscellaneous applications pending, if any, shall stand closed.

SD/- CH. VENKATESWARLU
ASSISTANT REGISTRAR

//TRUE COPY//

Kulk
SECTION OFFICER

To

1. The Metropolitan Sessions Judge, Cyberabad, R.R.District at L.B.Nagar
2. The Superintendent, Central Jail, Cherlapally, R.R.District
3. The Station House Officer, Police Station Excise Quthubilapur
4. Two CCs to the Public Prosecutor, High Court at Hyderabad (OUT)
5. One CC to Sri L Harish, Advocate (OPUC)
6. One spare copy.

HIGH COURT

GSD,J

DATED: 04.02.2021

ORDER:

CRLP. NO: 198 of 2021

BAIL

