

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

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 7956 OF 2021

Between:

1. Vijay Bapu Rao Rukde, S/o Bapu Rao,
2. Rajamathi Vijay Bapu Rao Rukde, W/o. Vijay Bapu Rao Rukde,
3. Sanjay Kashinadh Mundalik, S/o. Kashinadha Rao,

Petitioners/Accused No.1 to 3

AND

The State of Telangana, through Bhadrachalam Town Police Station, Rep by Public Prosecutor, High Court of Telangana.

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the Criminal Petition, the High Court may be pleased to enlarge the petitioners on bail in connection with Crime NO.358 of 2021 on the file of Bhadrachalam Town Police Station, Khammam District

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 Assistant PUBLIC PROSECUTOR for the Sole Respondent, the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.7956 OF 2021

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A-1 to A-3, seeking to grant bail to them in connection with Crime No.358 of 2021 of P.S. Bhadrachalam Town, Bhadrachalam District, registered for the offence punishable under Section 8(c) read with Section 20(b) of the NDPS Act, 1985.

Heard the learned counsel appearing for the petitioners/A-1 to A-3, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

Learned counsel for the petitioners submits that the petitioners are innocents of the crime alleged and that the police have foisted a false case against them. It is further submitted that the petitioners are in custody since 26.08.2021 and they are willing to abide by any terms and conditions that are imposed by this Court in the event of granting them bail. Hence, it is prayed to enlarge the petitioners/A-1 to A-3 on bail.

Learned Assistant Public Prosecutor appearing for the State has vehemently opposed the petition. However, it has been conceded by the learned Assistant Public Prosecutor that the petitioners are in custody since 26.08.2021.

It is submitted that the petitioners have purchased the contraband on the instructions of A-4 and brought the same from A-5 and they are only transporting the contraband on the instructions of A-4.

Therefore, looking into the nature of allegations levelled against the petitioners/A-1 to A-3, without delving into the merits of the matter, I am inclined to grant bail to the petitioners/A-1 to A-3.

The Criminal Petition is allowed and the petitioners/A-1 to A-3 are directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioners/A-1 to A-3 shall be released on bail on their executing a personal bond to the tune of Rs.50,000/- (Rupees fifty thousand only) each with two sureties for a like sum each to the satisfaction of the Judicial Magistrate of the First Class at Bhadrachalam and out of two sureties, one surety shall be from the native place of each of the petitioners/A-1 to A-3.
- (ii) The petitioners/A-1 to A-3 shall appear before the investigating authorities on first Saturday of every month between 10.00 am and 5.00 pm till completion of investigation and filing of final report.
- (iii) The petitioners/A-1 to A-3 shall not be indulged in similar type of offences in future and if it is found that they are indulged in similar type of offences in future, liberty granted to them shall automatically stand cancelled and they would be taken into custody forthwith.
- (iv) The petitioners/A-1 to A-3 shall not interfere with the investigation, intimidate or induce the material

witnesses and shall cooperate with the investigating agency.

- (v) The petitioners/A-1 to A-3 shall not misuse the liberty granted to them.
- (vi) The petitioners/A-1 to A-3 shall personally appear before the Court concerned on each date of hearing till conclusion of trial.

Miscellaneous applications, if any, pending, shall stand closed.

SD/- K. SHYLESHI
Assistant Registrar

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class at Bhadrachalam, Khammam District.
2. The Superintendent District Jail, Khammam, Khammam District.
3. The Station House Officer, Bhadrachalam Town Police Station, Bhadrachalam District.
4. One CC to SRI. PARSA ANANTH NAGESWAR RAO Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
6. One Spare Copy

HIGH COURT

GSDJ

DATED:08/11/2021

ORDER

CRLP.No.7956 of 2021

BAIL



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