

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.545 OF 2024

ORDER:

1. This Criminal Petition is filed by the petitioner/accused No.1 under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”) seeking regular bail to him in Crime No.497 of 2023, on the file of the Afzalgunj Police Station, Hyderabad, registered for the offences under Sections 8 (c) r/w 22 (c), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘the NPDS Act’).
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State.
3. Perused the record.
4. As per the remand report of accused No.1, he was supplying huge quantity of Nitravet Tablet boxes to accused No.2 and to avoid police surveillance, accused No.2 along with his family members used to travel to Hyderabad in various private transport vehicles and supply the same to drug peddlers. Accordingly, on 09.11.2023, accused No.2 purchased five boxes of Nitravet tablets of Nitrazepam tablets (Psychotropic drug), each box containing 300 tablets. Then accused No.2 along with accused No.3 boarded the KSRTC bus at Bidar Town of Karnataka State. On

10.11.2023 at morning hours, while they were carrying the tablets in a black colour college bag, they were apprehended by the police at MG Bus Station and seized 1464 Nitravet tablets weighing 826.400gms.

4. Learned counsel for the petitioner submitted that basing on the confession of accused No.2, accused No.1 was arrested on 13.11.2023. No contraband was seized from the possession of accused No.1. Accused No.3 was also granted bail by this Court on 13.12.2023 vide Crl.P.No.12083 of 2023.

5. Learned Additional Public Prosecutor reported that accused No.1 was also involved in another case i.e. Crime No.512 of 2023.

6. Learned counsel for the petitioner reported that accused No.1 was released on bail in the said case.

7. However, considering that as no contraband was seized from the possession of accused No.1 in the present case and except the confession of accused Nos.2 and 3, there was no other evidence collected by the prosecution against the present petitioner/accused No.1, it is considered fit to release him on bail, subject to following conditions:

- i) The petitioner/accused No.1 shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for a like sum each i.e. at least one of them should be local surety, to the satisfaction of the I Additional Metropolitan Sessions Judge, Hyderabad.
- ii) The petitioner/accused No.1 after release shall appear before the concerned Station House Officer on every Sunday between 10a.m to 2pm for a period of six (06) weeks or till filing of charge sheet whichever is earlier.
- iii) The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

8. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

DR.G. RADHA RANI, J

Date: 05.02.2024
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Dt.05.02.2024

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