

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.2510 of 2024

ORDER:

This Criminal Petition is filed by the petitioner/A7 under Sections 437 and 439 of Cr.P.C. for grant of regular bail in Crime No.329 of 2023 of Shamshabad Police Station, Ranga Reddy District, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution, in brief, was that on 12.06.2023 at 13:00 hours, the Sub-Inspector of Police, Shamshabad, Cyberabad, lodged a report, stating that at about 08:00 hours, he apprehended five accused persons, i.e. A3 to A7 while they were found in possession of seven bags of dry ganja weighing about 144 kgs. He conducted panchanama and produced them in the Police Station along with the seized contraband. Basing on the aforesaid report, the subject crime was registered.

3. Heard the learned counsel for petitioner/A7 and the learned Additional Public Prosecutor representing the respondent-State.

4. Learned counsel for the petitioner/A7 submitted that the petitioner/A7 was a woman and she was wrongfully shown as a male person in the remand report. She was apprehended while she was alleged to be transporting dry ganja. She was in judicial custody for more than 260 days. The other accused person i.e. A6 in the subject crime was enlarged on bail by this Court *vide* order, dated 28.11.2023 in Crl.P.No.11651 of 2023 and prayed to enlarge the petitioner/A7 on bail as she also stood on the same footing as that of A6.

5. Learned Additional Public Prosecutor submitted that the petitioner belonged to Maharashtra State, on the instructions of A1, the petitioner/A7 along with others went to Barampura of Odisha State, met A2, who consigned the ganja and paid Rs.10,000/- to each person and while they were transporting it to Maharashtra, in the meanwhile, the Shamshabad police, apprehended them and a commercial quantity of dry ganja was seized from their possession and prayed to dismiss the bail petition of the petitioner/A7.

6. Perused the record and the order dated 28.11.2023 passed by this Court in Crl.P.No.11651 of 2023 filed by A6.

7. This Court, considering that A6 was a woman, enlarged her on bail. Since the petitioner/A7 also stands on the same footing as that of A6, this Court is inclined to grant bail to the petitioner/A7 with certain conditions.

8. Accordingly, the Criminal Petition is allowed and the petitioner/A7 shall be released on bail subject to the following conditions:

- 1) The petitioner/A7 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the XI Additional Metropolitan Magistrate, Rajendranagar Police Station, Ranga Reddy District.
- 2) The petitioner/A7 shall abide by the conditions stipulated under Section 437(3) of Cr.P.C.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. G. RADHA RANI, J

Date: 06.03.2024
ssp