

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.3240 of 2024

ORDER:

This Criminal Petition is filed by the petitioner/A1 under Sections 437 and 439 of Cr.P.C. for grant of bail in Crime No.2 of 2024 of Bowenpally Police Station, Hyderabad, registered for the offences punishable under Sections 8(c) read with 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 01.01.2024 at about 16:00 hours, while the Sub-Inspector of Police, Bowenpally Police Station was conducting area patrolling in the limits of Bowenpally Police Station and when reached near HAL Colony Park, RR Nagar bus stop, Old Bowenpally, they found A1 and A2 carrying a blue colour bag. On suspicion they checked the bag and on enquiry they stated that the bag was containing Hashish Oil extracted from Ganja and that they were taking it to deliver to the customers. The Sub-Inspector seized the same under the cover of panchanama and brought the accused to the Police Station along

with the seized contraband and lodged the report. Basing on the said report, the above crime was registered and A1 and A2 were arrested and produced before the Court on 02.01.2024.

3. Heard the learned counsel for the petitioner/A1 and the learned Additional Public Prosecutor representing the respondent-State.

4. Learned counsel for the petitioner/A1 submitted that the contraband was alleged to be seized from the possession of both the petitioners on 01.01.2024. A2 was granted bail on 14.03.2024. The petitioner/A1 was falsely implicated in the present case. The petitioner/A1 also would stand on the same footing as that of A2 and prayed to enlarge the petitioner on bail.

5. Learned Additional Public Prosecutor submitted that the petitioner/A1 was also involved in another Crime No.36 of 2022 which was registered under NDPS Act and as the petitioner was found to be in possession of commercial quantity of contraband, he was not entitled for grant of bail.

6. Perused the record.

7. Considering that the quantity of contraband alleged to be seized is only slightly more than the small quantity and A2 was granted bail on 14.03.2024 observing the same and as the petitioner/A1 also stands on the same footing as that of A2, it is considered fit to enlarge the petitioner/A1 on bail with certain conditions.

8. Accordingly, the Criminal Petition is allowed and the petitioner/A1 shall be released on bail subject to the following conditions:

- 1) The petitioner/A1 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five only) with two sureties for a like sum each to the satisfaction of the learned I Additional Metropolitan Sessions Judge, Hyderabad.
- 2) The petitioner/A1 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: 27.03.2024
ssp