

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

CRIMINAL PETITION No.5528 of 2024

ORDER:

This petition is filed under Sections 437 and 439 of the Criminal Procedure Code seeking to release the petitioner, who is the sole Accused, on bail in Crime/C.O.R No.107 of 2024 of Prohibition and Excise Station, Dhoolpet Police Station, Hyderabad, registered for the offence under Section 8 (c) read with 20 (b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act, 1985').

2. Heard learned counsel for the petitioner, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. The petitioner - accused is the sole accused in Crime No. 107 of 2024 registered for the offence under Section 8 (c) read with 20 (b)(ii)(B) of the Act, 1985. The case of the prosecution is that on 19.04.2024 at about 1:30 PM, on credible information about illegal possession and sale of dry ganja, the Prohibition and Excise Inspector along with Prohibition and Excise Sub-Inspector of

Police and Staff, Dhoolpet Police Station, Hyderabad, raided the premises at H.No.13-2-270/A/B, Yateemkhana, Balramgally, Upper Dhoolpet, Hyderabad, apprehended the accused and seized 90 sachets of dry ganja, weighing about 1.1 kgs from the said house under the cover of panchanama. The accused was arrested and remanded to judicial custody on 19.04.2024.

4. Learned counsel for the petitioner submitted that the contraband seized is not a commercial quantity. The petitioner is not involved in any other offences. Investigation is completed. He was not present when police raided his house.

5. Learned Assistant Public Prosecutor submitted that the petitioner stored the seized dry ganja in his house and his family is also involved in illegal sale of dry ganja. Investigation is pending.

6. Taking into consideration the fact that major part of investigation is completed and petitioner was not present at the time of raid conducted by the excise officials and moreover the quantity is being 1.1 kgs, this Court is inclined to grant bail to the petitioner – accused on conditions.

7. In view of the above, the Criminal Petition is allowed and the petitioner – accused is directed to be enlarged on bail on his executing 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 learned I Additional Chief Metropolitan Magistrate, Nampally, Hyderabad. After release, the petitioner shall appear before the Station House Officer, Prohibition and Excise Police Station, Dhoolpet Police Station, Hyderabad, on 2nd and 4th Sunday of every month between 10:00 AM and 11:00 AM. Further, the petitioner also shall not interfere with the investigation and shall not indulge in similar offences.

Miscellaneous petitions, if any, pending in this petition shall stand closed.

B. VIJAYSEN REDDY, J

Date: 23.05.2024

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