

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.12681 of 2024

ORDER :

Petitioner/accused No.11 has filed this petition under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail in COR.No.51 of 2024 of Prohibition and Excise Station, Kachiguda, Hyderabad registered for the offences under Section 8(c) read with 20(b)(ii) (B) of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short NDPS act).

2. Heard Sri Umesh Singh , learned counsel for petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the State.

3. The case of the prosecution is that on 04.09.2024, 1.25 kgs of dry ganja was found in possession of accused No.1 in the crime. In his confession, accused No.1 has stated that petitioner/accused No.11 is a local drug peddler, to whom she supplies dry ganja.

4. Learned counsel for petitioner submits that though the petitioner/accused No.11 is in no way concerned with the offences alleged, merely basing on the confession of co-accused, he was falsely implicated in the case. He further submits that no criminal antecedents are reported against the petitioner/accused No.11 and nothing was recovered from his possession. He further submits that most part of the investigation is completed, except filing of charge sheet and the petitioner/accused No.11 is in judicial custody since 19.10.2024, and hence, prayed to grant bail.

5. The learned Additional Public Prosecutor opposed the application stating that specific allegations are levelled against the petitioner/accused No.11. He further submits that investigation is in progress and if the petitioner/accused No.11 is released on bail at this stage, he may tamper with the evidence and may commit similar type of offences and, hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, it is apparent that basing on the confession of co-accused,

the petitioner/accused No.11 was arrested on 19.10.2024 and no criminal antecedents are reported against him. In view of the same and as most part of the investigation is completed, this Court is inclined to grant bail to the petitioner/accused No.11, subject to the following conditions:

- 1. The petitioner/accused No.11 shall be released on bail on his executing a personal bond for Rs.20,000/- with two sureties for the like sum each to the satisfaction of the IV Additional Judicial Magistrate, Hyderabad.**
- 2. The petitioner/accused No.11 shall comply with the conditions as laid down under Section 480 (3) Bharatiya Nagarik Suraksha Sanhitha, 2023.**

Petition is allowed accordingly.

JUVVADI SRIDEVI, J

Date: 25.10.2024
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