

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.12715 OF 2024

ORDER:

This Criminal Petition is filed by the petitioner – Accused under Sections 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”)/480 and 483 of Bharatiya Nagarik Suraksha Sanhitha (for short “BNSS”) seeking regular bail in Crime No.157 of 2024 on the file of Kazipet Police Station, Hanumakonda District, Telangana State registered for the offences punishable under Sections 8(c) read with 20(b) (ii) (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard the learned counsel for the petitioner - Accused and the learned Additional Public Prosecutor for the respondent-State.

3. Learned counsel for the petitioner - Accused submitted that the petitioner was arrested on 18.06.2024 with the allegations that he was transporting dry ganja of 22 kgs, which was detected by the Kazipet Police. The police had not complied the mandatory provisions of the NDPS Act at the time of search, seizure and arrest. The entire investigation was completed. The earlier bail application

filed by the petitioner was dismissed by the trial court on 7.10.2024 and prayed to enlarge the petitioner - Accused on bail.

4. Learned Additional Public Prosecutor opposed grant of bail to the petitioner submitting that the investigation is not yet completed and charge sheet is not yet filed.

5. Perused the record. Considering that the contraband recovered from the petitioner was only 22 kgs, slightly higher than the commercial quantity and the petitioner was in custody since 18.06.2024 and no criminal antecedents are reported against the petitioner in the remand report, it is considered fit to enlarge the petitioner - Accused on bail.

6. In the result, the Criminal Petition is allowed directing the petitioner - Accused to be released on regular bail subject to the following conditions:

- i). The petitioner - Accused 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 I Additional Judicial First Class Magistrate, at Hanumakonda.

ii). The petitioner - Accused shall abide by the other conditions stipulated in Section 480 (3) of Bharatiya Nagarik Suraksha Sanhitha, 2023.

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Miscellaneous applications, pending if any, shall stand closed.

Dr. G.RADHA RANI, J

Date: 4th November, 2024
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Dated 04.11.2024

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