

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.12735 of 2024

ORDER :

Petitioners/accused Nos.3, 5 and 6 have filed this petition under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 seeking bail in COR No.110 of 2024 of Prohibition and Excise Station, Hayathnagar, registered for the offences under Sections 8(C) r/w. 20(b)(ii)(C) of NDPS Act, 1985.

2. Heard Sri. Papaiah Peddakula, learned counsel appearing for petitioners and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

3. The case of the prosecution is that on 13.09.2024, 174 kgs. of dry ganja was seized from the possession of accused in the crime. Hence, the same was seized and they were arrested and remanded to judicial custody.

4. Learned counsel for petitioners/accused Nos.3, 5 and 6 submits that the petitioners/accused Nos.3, 5 and 6 are innocent and though in no way concerned with the offences alleged, they were falsely implicated in the case. He further submits that though nothing was seized from the possession of the petitioners/accused Nos.3, 5 and 6, alleging that the petitioners herein have piloted the vehicle containing the contraband, they were arrested on 13.09.2024. He further submits that no criminal antecedents are reported against the petitioners herein and most part of the investigation is completed, except filing of charge sheet. Hence, prayed for grant of bail.

5. The learned Additional Public Prosecutor opposed the application stating that specific allegations are levelled against the petitioners/accused Nos.3, 5 and 6. He further submits that investigation is in progress and if the petitioners/accused Nos.3, 5 and 6 are released on bail at this stage, they may tamper the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, it appears that no criminal antecedents are reported against the petitioners/accused Nos.3, 5 and 6 and most part of the investigation is completed, except filing charge sheet. In the said circumstances, this Court is of the considered view that it is a fit case for grant of bail, subject to the following conditions:

- 1. The petitioners/accused Nos.3, 5 and 6 shall be released on bail on each of them executing a personal bond for Rs.20,000/- with two sureties for the like sum each to the satisfaction of I Additional District and Sessions Judge, Ranga Reddy District at L.B. Nagar.**
- 2. The petitioners/accused Nos.3, 5 and 6 shall also furnish an undertaking before the trial Court that they shall not involve in similar cases in future.**
- 3. The petitioners/accused Nos.3, 5 and 6 shall abide by the other conditions stipulated in Section 480 (3) Bharatiya Nagarik Suraksha Sanhitha, 2023.**

Petition is allowed accordingly.

JUVVADI SRIDEVI, J