

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION Nos.13133, 13078, 13116 & 13106 of 2024

COMMON ORDER:

These Criminal Petitions are filed by the petitioners / A2, A3. A4 & A5 under Section 482 of B.N.S.S for grant of anticipatory bail in Crime / COR.No.244 of 2024 on the file of Prohibition & Excise Station, Dhoolpet, Hyderabad, registered for the offence under Section 20(b)(ii)(B) of Narcotic Drugs & Psychotropic Substances Act, 1985.

2. A2 is the son of A1, A3 and A5 are the daughters of A1 and A4 is the son-in-law of A1.

3. The case of the prosecution in brief was that on 22.09.2024 at 03:00 PM, the SI of Prohibition & Excise Station, Dhoolpet, Hyderabad raided the house of A1 bearing H.No.13-1-571/4, Upper Dhoolpet, Mangalhat, Hyderabad. On seeing the Excise Police, the son of A1 escaped. A1 was found in the house. On search of the house, the SI seized cash of Rs.62,000/-, alleged to be the profits from selling ganja and also seized 0.621 grams of loose dry ganja and 152 packets of dry ganja weighing 1.242 kgs, total 1.863 kgs of dry ganja. On enquiry, A1 stated that her elder daughter Raj Nandini Singh (A3) along with

her husband Aatish Singh alias Shailender Singh (A4) supplied the dry ganja to her and she prepared 8 to 10 grams of small packets with the help of her another daughter Sanjana Singh (A5) and was selling the same to the consumers for her livelihood. A1 was taken into custody and basing on her confession, the above crime was also registered against the petitioners – A2 to A5.

4. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

5. Learned counsel for the petitioners submitted that the Investigating Agency stated that 1.863 kgs of dry ganja was seized from the house premises of A1, but not from the petitioners. There was no *prima facie* case against the petitioners. The Investigating Agency made a false complaint with an ulterior motive. The petitioners were no way connected with the alleged offence. There were no criminal antecedents against the petitioners and prayed for grant of anticipatory bail to the petitioners.

6. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioners, but, however reported that no criminal antecedents were reported against the petitioners herein.

7. Hence, considering the submissions of both the learned counsel, as no contraband dry ganja was seized from the possession of the petitioners herein and their names were incorporated only basing on the confession of A1, which

was not admissible in evidence and there were no criminal antecedents reported against the petitioners herein, it is considered fit to grant anticipatory bail to the petitioners.

8. In the result, the Criminal Petitions are allowed subject to the following conditions:

(i) The petitioners – accused are directed to be released on bail in the event of their arrest on their executing a personal bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties for a like sum each to the satisfaction of the Station House Officer, Prohibition and Excise Station, Dhoolpet, Hyderabad.

(ii) The petitioners – accused shall comply with the conditions laid down under Section 482(2) of B.N.S.S.

As a sequel, miscellaneous applications pending in these petitions, if any shall stand closed.

Dr. G. RADHA RANI, J

Date: 05th November, 2024
Nsk.