

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.13109 OF 2024

ORDER:

This criminal petition is filed by the petitioner/accused No.3 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail in Crime No.58 of 2024 of Prohibition and Excise Station, Kachiguda, registered for the offence under Section 8 (c) r/w. 20(b)(ii)(B) of NDPS Act, 1985.

2. Heard Sri Avinash Singh, learned counsel representing Sri A.Prabhakar Rao, learned counsel appearing for the petitioner and learned Additional Public Prosecutor for respondent-State.

3. Learned counsel for the petitioner submitted that as per the prosecution case, accused Nos.1 and 2 were apprehended and 1.32 kgs. of ganja was seized from their possession. The petitioner/accused No.3 was alleged to have supplied the said ganja to accused Nos.1 and 2. He further submitted that only an intermediary quantity of ganja was seized from the possession of accused Nos.1 and 2 and there were no criminal antecedents

reported against him and prayed for grant of anticipatory bail to the petitioner.

4. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioner, however, confirmed that there were no criminal antecedents reported against the present petitioner.

5. Perused the record.

6. Considering the submissions of both the learned counsel, as only an intermediary quantity of dry ganja was seized from the possession of accused Nos.1 and 2 and there were no criminal antecedents reported against the present petitioner (accused No.3), it is considered fit to grant anticipatory bail to the petitioner.

7. In the result, this Criminal Petition is allowed, directing the petitioner/accused No.3 to be released on bail, in the event of his arrest, in the above crime, subject to the following conditions:

- i) The petitioner/accused No.3 shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty thousand only) with two sureties each for**

a like sum to the satisfaction of the Prohibition and Excise Inspector, Kachiguda, Hyderabad.

ii) The petitioner/accused No.3 shall abide with the conditions laid down under Section 482 (2) of BNSS.

Miscellaneous applications, if any, pending, shall stand closed.

Dr. G. RADHA RANI, J

Dt: 06.11.2024
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