

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.13365 of 2024

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking to enlarge the petitioner/Accused No.2 on bail in Crime No.974 of 2024 before the Madhapur Police Station, on the file of the XIII Additional District and Sessions Judge, Ranga Reddy District, at LB.Nagar, Hyderabad, registered for the offences punishable under Sections 8c read with 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 .

2. Heard VV.Ramana, learned counsel for petitioner, and Sri Rudresh Deshpande, learned Additional Public Prosecutor, appearing for respondent.

3. The case of the prosecution is that petitioner/accused No.2 along with other accused was found in possession of 1001 grams of heroin which was seized.

4. Learned counsel for petitioner submitted that the petitioner/accused No.2 is innocent person and is falsely implicated in the case based on confession of accused No1, supported with no material evidence seized from him. He asserted that as accused Nos.3 and 4 were already granted bail, the petitioner seeks similar relief. He lamented that the remand case diary lacks specific set of allegations against petitioner and strongly denied his involvement in the alleged crime. He averred that with investigation being completed and all witnesses being examined, the petitioner undertakes to cooperate and face trial in fair manner and is also willing to furnish sureties, obey Court conditions, and abide by terms to secure his presence. He avowed that petitioner being a law-abiding citizen from a respectable

family, the petitioner prays this Court to grant him bail, noting the completion of investigation and impending charge sheet filing.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the offence committed by the petitioner along with other accused persons is heinous in nature, therefore, the question of granting of bail does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering the rival submissions made and reviewing the record, it is noted that the Police had allegedly seized 1001 grams of heroin from petitioner and other accused persons. The petitioner is in jail from 20.07.2024 and bail is already granted to accused Nos.3 and 4. The record shows that material witnesses were already examined. Therefore, this Court deems it

fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner/accused No.2 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 learned XIII Additional District and Sessions Judge, Ranga Reddy District, at LB.Nagar, Hyderabad.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 480(3) of BNSS.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 14.11.2024
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