

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.14245 OF 2024

ORDER:

This criminal petition is filed by the petitioner – accused No.1 under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail in Crime No.513 of 2024 of Raidurgam Police Station, Cyberabad, registered for the offence under Section 8 (c) read with 20 (b) (ii) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution, in brief, was that on 30.06.2024 at 17.50 hours, on credible information, the Woman Sub-Inspector of Police of Raidurgam Police Station, Cyberabad, conducted vehicle checking and found two male persons on a Scooty bearing No.TS 13 EW 2870 and found the pillion rider carrying a college bag. On checking the bag, she found dry ganja of about 900 gms., in it. On enquiry, the said persons disclosed their particulars and stated that they obtained the said ganja from a person, by name, Dhaniya from Odisha State. The Police registered the above case showing the rider of the bike as A2, the pillion rider, who was carrying the contraband, as A1 and the supplier Dhaniya as A3.

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

4. Learned counsel for the petitioner submitted that the petitioner was taken into custody on 13.06.2024 and only a small quantity of dry ganja of 900 gms., was alleged to be seized from his possession. The petitioner belonged to a poor family. He was falsely implicated in the case and prayed to enlarge the petitioner on bail.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioner, but however, reported no criminal antecedents against him.

6. Considering that the petitioner was in custody for the past more than five months and only a small quantity of 900 gms., of contraband dry ganja was alleged to be seized from his possession and no criminal antecedents were reported against him, it is considered fit to enlarge the petitioner on regular bail.

7. In the result, this Criminal Petition is allowed, directing the petitioner – accused No.1 to be released on regular bail subject to the following conditions:

- i) The petitioner - accused No.1 shall execute a personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a likesum each to the satisfaction of the XIII Additional Metropolitan Magistrate, Cyberabad at Rajendranagar, R.R. District.
- ii) The petitioner – accused No.1 shall abide by the conditions stipulated in Section 480 (3) of Bharatiya Nagarik Suraksha Sanhitha, 2023.

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

November 27, 2024
KTL

Dr. G. RADHARANI, J