

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.13931 OF 2024

ORDER:

This criminal petition is filed by the petitioner – accused under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail in COR No.304 of 2024 of Prohibition and Excise Station, Nizamabad, registered for the offences under Sections 8 (c) read with 20 (b) (ii) (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The case of the prosecution, in brief, was that on 23.10.2024 at 6.30 AM, on reliable information, the Prohibition and Excise Inspector and his staff detected a case of illegal transportation, possession and sale of narcotic substance dry ganja at Waddera Crematorium yard, behind Hanuman Temple, opposite Rajaram Stadium, Nagaram, Nizamabad and seized 1.110 gms., of dry ganja and Honda Activa vehicle bearing No.TS 16 FK 1636 from the possession of the petitioner-accused and registered the above case.

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 falsely implicated in the above Crime. He was having old aged parents. His wife was pregnant. There was no other person to take care of his family. He was the only earning member in the family 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 contraband recovered from the possession of the petitioner was only an intermediate quantity of 1.110 gms., which was slightly more than the small quantity of ganja of 1000 gms, and no criminal antecedents were reported against the petitioner and the petitioner was in custody since 23.10.2024 for the past more than one month, it is considered fit to enlarge the petitioner on regular bail.

7. In the result, this Criminal Petition is allowed, directing the petitioner – accused to be released on bail subject to the following conditions:

- i) The petitioner - accused shall execute a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a likesum each

to the satisfaction of the I-Additional Sessions Judge, Nizamabad.

ii) The petitioner – accused shall abide by the conditions stipulated in Section 480 (3) of Bharatiya Nagarik Suraksha Sanhitha, 2023.

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

Dr. G. RADHARANI, J

November 27, 2024
KTL