

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14943 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.10 in Crime No.86 of 2024 of Dabeerpura Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 03.05.2024, the Dabeerpura Police seized the contraband as the accused persons are buying and selling the contraband illegally to the general public in order to earn money in an ease manner and also registered a case vide Crime No.86 of 2024 before the Dabeerpura Police, Hyderabad, for the offences punishable under Sections 8(c) read with 20(b)(ii)(B), 29 of NDPS Act.

3. Heard Sri Ch.Ravinder, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that the seized contraband is just Intermediate Quantity. He *secondly* submitted though there is no corroborative evidence, the petitioner was implicated in the case solely based on the

confession of accused No.1. He *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 29.08.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *lastly* submitted that the petitioner is resident of Mangalhat, Hyderabad, with movable and immovable properties, and is willing to furnish sureties as directed and prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner is also involved in another case with similar offences, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, since the seized contraband is Intermediate Quantity and charge sheet is filed after completion of investigation, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)

each, with two sureties for a like sum each to the satisfaction of the Metropolitan Sessions Judge at Nampally, Hyderabad.

- ii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).
- iii. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 13.12.2024
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