

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.15324 of 2024

ORDER :

Petitioner/accused No.4 has filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail in Crime No.251 of 2024 of Prohibition and Excise Station, Dhoolpet, registered for the offence under Section 8(c) r/w. 20(b)(ii)(B) of NDPS Act, 1985.

2. Heard Sri Gulab Singh, learned counsel for petitioner/accused No.4 and Mr. Syed Yasar Manoon, learned Additional Public Prosecutor appearing for the State and perused the record.

3. The case of the prosecution is that 1.100 kgs. of dry ganja was found in the house of petitioner/accused No.4.

4. Learned counsel for petitioner/accused No.4 submits that the petitioner/accused No.4 is innocent and though he is in no way concerned with the alleged offences, basing on the confession of co-accused, he has been falsely implicated in the

case. He further submits that there are no criminal antecedents against the petitioner/accused No.4 and most part of the investigation is completed, except filing of charge sheet, and hence, prayed for grant of anticipatory bail.

5. The learned Additional Public Prosecutor, on the other hand, opposed the application stating that serious allegations are levelled against the petitioner/accused No.4. He further submits that investigation is in progress and if the petitioner/accused No.4 is released on bail at this stage, he may tamper with the evidence and may commit similar type of offences, and hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, it appears that merely basing on the confession of co-accused, petitioner/accused No.4 was implicated in the case. In view of the same and since most part of the investigation is completed, this Court is of the considered opinion that it is a fit case for grant of anticipatory bail, subject to the following conditions:

1. The petitioner/accused No.4 shall surrender before the Station House Officer of Prohibition and Excise Station, Dhoolpet, within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for Rs.10,000/- with two sureties, for the like sum each.
2. The petitioner/accused No.4 shall abide by the other conditions stipulated in Section 482 (2) of Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.

Petition is accordingly allowed.

JUVVADI SRIDEVI, J

Date: 20.12.2024
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