

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.15411 of 2024

ORDER:

Petitioner/accused No.2 has filed this petition under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023, seeking bail in Crime No.1012 of 2024 of P.S. Narsingi, registered for the offences under Sections 22 (c), 27-A, 27(a) and 29 r/w. 8 (c) of NDPS Act, 1985.

2. Heard Sri Mohd. Muzafferullah Khan, learned counsel for petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the State and perused the record.

3. The case of the prosecution is that on 15.07.2024, petitioner/accused No.2 along with other accused was found in possession of 199.10 gms. of Cocaine. Hence, the same was seized and they were arrested and remanded.

4. Learned counsel for petitioner/accused No.2 submits that the petitioner/accused No.2 is innocent and has been falsely implicated in the case. He further submits that

accused Nos.3 to 5 were already granted bail in the said crime and most part of the investigation is completed, except filing of charge sheet, and hence, prayed to grant bail.

5. The learned Additional Public Prosecutor, on the other hand, opposed the application stating that the contraband seized is commercial quantity. He further submits that specific allegations are levelled against the petitioner/accused No.2 and the investigation is in progress and charge sheet is yet to be filed and if the petitioner/accused No.2 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 is apparent that no specific allegations are levelled against petitioner/accused No.2. In view of the same and considering that accused Nos. 3 to 5 were already granted bail in the said crime and the accused herein also stand on the same footing and as most part of the investigation is

completed, this Court is of the considered view that it is a fit case for grant of bail subject to following conditions:

- 1. The petitioner/accused No.2 shall be released on bail on his executing a personal bond for Rs.20,000/- with two sureties for the like sum each to the satisfaction of XIII Additional Metropolitan Magistrate, Cyberabad, at Rajendranagar.**
- 2. The petitioner/accused No.2 shall comply with the conditions as laid down under Section 480(3) of Bharatiya Nagarik Suraksha Sanhitha, 2023.**

Petition is allowed accordingly.

JUVVADI SRIDEVI, J

Date: 20.12.2024
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