

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15997 of 2024

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.4 and 5 in Crime No.941 of 2024 of Keesara Police Station, Hyderabad, on bail, the present criminal petition is filed.

2. The brief facts of the case are that on 05.12.2024, Station House Officer, Keesara Police Station, seized the contraband i.e., 1.260 kgs of dry ganja 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.941 of 2024 of Keesara Police Station, Hyderabad, for the offences punishable under Section 8(c) read with 20(b)(ii)(B) and 27(b) of NDPS Act, 1985.

3. Heard Sri. Akkam Eshwar, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they have been falsely implicated in the case. He *secondly* submitted that nothing

was recovered from the possession of the petitioners and there is no material to connect the petitioners with the alleged offences. He *lastly* submitted that no criminal antecedents are reported against the petitioners and they are in jail since 05.12.2024. Therefore, he prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that there are specific allegations against the petitioners and the investigation is not yet completed, therefore, granting bail to the petitioners 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 material available on record, it is apparent that there are no criminal antecedents against the petitioners; the contraband seized is intermediary quantity and the petitioners are in jail since 05.12.2024. In the said circumstances, this Court is of the considered view that it is a fit case for grant of bail to the petitioners, subject to the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand

only) each, with two sureties for a like sum each to the satisfaction of the III Additional Metropolitan Magistrate, Medchal-Malkajgiri District at Kushaiguda.

- ii. The petitioners shall appear before the concerned Station House Officer on every Monday at 11:00 A.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioners shall abide by the other conditions stipulated in Section 480(3) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 31.12.2024
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