

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.720 of 2025

ORDER:

This Criminal Petition is filed for grant of bail to the petitioner who is arrayed as accused No.1 in Crime No.441 of 2024 on the file of the First Additional District and Sessions Judge, Ranga Reddy District Court, at LB.Nagar, registered for the offence punishable under Sections 8(c), 20(b)(ii)(c) of NDPS Act.

2. The brief facts of the case are that on 27.08.2024 on receiving information that two persons were transporting ganja from Visakhapatnam in Swift Car bearing No.MH03AM9386 the seizing Officer intercepted the petitioner along with other accused and seized 59.5 kgs of ganja in their possession. That being so, a case against the petitioner was filed for the offences as alleged, arraying him as accused No.1. Aggrieved thereby, this Criminal Petition is filed.

3. Heard Sri P.Vikas Raj, learned counsel for petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for respondent State.

4. Learned counsel for the petitioner submitted that the petitioner is falsely implicated in the offence, detained by the police, and wrongly charged. He further submitted that the police allegedly received credible information about illegal material transport just two hours prior to the arrest, but failed to disclose the source of this information or the Officer who received it. He asserted that the police contended that the petitioner exchanged number plates, but no case was registered for such offence, and no number plates were seized. He asserted that petitioner is a law-abiding citizen from a respectable family, and his implication in the false case causes grave prejudice to his reputation and family. Further, that the petitioner is suffering with health complications as he is HIV positive. Therefore, he prayed this Court to allow the criminal petition, granting the relief of bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioner, stating that the allegations leveled against the petitioner are of serious nature as he was alleged involved in transporting ganja from Vishakapatnam and that 59.5 kgs of ganja was seized from his possession. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. Having regard to the rival submissions made and on going through the material placed on record, it is noted that the petitioner is in jail from 27.08.2024 i.e., from more than five months till today and even then no charge sheet is filed in the case by the investigating agency. Therefore, while considering the health grounds of petitioner, this Court deems it fit to grant bail to the petitioner, subject to following the below conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction

of the I Additional District and Sessions Judge, Ranga Reddy District Court, at LB.Nagar.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 482(2) of BNSS (previously known as Section 437(3) of Cr.P.C.).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 30.01.2025
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