

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1453 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.8 in Crime No.195 of 2023 of Dabeerpura Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 26.10.2023, 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.195 of 2023 before the Dabeerpura Police, Hyderabad, for the offences punishable under Sections 8(c) read with 22(c), 27 of NDPS Act.

3. Heard Sri. M.M.Ahmed Khan, learned counsel appearing on behalf of the petitioner as well as Sri. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that though there is no corroborative evidence, the petitioner was implicated in the case with false and fabricated allegations. He *thirdly* submitted that all the material witnesses were examined, and

further detention of the petitioner is unnecessary. He *fourthly* submitted that PT warrant was issued against the petitioner on 12.12.2024 and he was in judicial custody since 12.12.2024, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of Hyderabad, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, vide Crl.M.P.No.257 of 2025 was dismissed by the I Additional Sessions Judge, Hyderabad, on 27.01.2025, without valid reasons 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 in other cases with similar offences and also the investigation is not yet completed, 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, it is apparent that the petitioner is charged for the offence punishable under Section 27 of the NDPS Act. It is noteworthy that the petitioner is languishing in jail from 12.12.2024 and charge sheet is already filed and numbered as SC NDPS No.150 of 2024. Hence, considering

the incarceration period, 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 I Additional Sessions Judge at Hyderabad.
 - ii. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court as and when his presence is required.
 - iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).
7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 10.02.2025
gms

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1453 of 2025

Date: 10.02.2025

gms