

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1472 of 2025

ORDER:

The present Criminal Petition is filed praying this Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.44 of 2025 of Hayathnagar Police Station, Rachakonda Commissionerate, on bail. The offences registered against the petitioner are under Sections 8c, r/w.20 (b) (ii), (A), r/w.20 (b) (ii) r/w.27, r/w.29 of Narcotic Drugs And Psychotropic Substances Act, 1985, (for short 'NDPS Act').

2. The case of the prosecution is that on 09.01.2025, on reliable information that some persons were in possession of Ganja, they conducted raid and found the accused in possession of 4.4 kgs of Ganja and seized the same. Basing on the complaint, the police registered the case against the accused.

3. Heard Sri Ch.Raj Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor, appearing for the respondent-state.

4. The contention of learned counsel for the petitioner is that petitioner is innocent of the said offences and he has nothing to do with this crime. Nothing is seized from the possession of this petitioner and all the material part of investigation is completed. Petitioner is in jail from 10.01.2025. As such, prayed this Court to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that as the offences alleged against the petitioner are under NDPS Act, he is not entitled for bail.

6. Considering the submissions made by both the counsel and the material on record, the seized contraband is 4.4 kgs which is intermediate quantity. Further, petitioner is not involved in any other cases and he is in jail from 10.01.2025. Hence, 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), with two sureties for a like sum each to the satisfaction of XIV-Additional Metropolitan Magistrate at Hayathnagar.

- 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 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 :11.02.2025
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