

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1765 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner, who is arrayed as accused No.1 in C.O.R.No.459 of 2011-2012 of Prohibition and Excise Police Station, Narayankhed, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 01.03.2012, at 9:30 AM, an enforcement team raided the house of Bavuru and Jai Singh in Pathu Naik Thanda, Enkapally Village, and seized 180 kgs of dry ganja from 10 plastic bags. Two samples of 100 grams each were drawn for chemical analysis. The accused persons fled the scene, and a case was registered under Section 20(b)(ii) of the NDPS Act, 1985, with accused 1 and 2 shown as absconding.

3. Heard Sri N. Manohar, 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 submitted that the petitioner was falsely implicated in a crime and denies any involvement. He submitted that the police charge sheet lacks

evidence and violates Section 52(A) of the NDPS Act, 1985. He further submitted that the petitioner was arrested 12 years after the alleged offence, and that the panch witnesses are interested parties. As the material part of the investigation is completed, he 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 allegations leveled against the petitioner are serious in nature. Therefore, at this stage, granting of bail to the petitioner does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering the submissions made by both the learned counsel and reviewing the material available on record, it appears that the crime was registered in the year 2012, but the petitioner was not arrested on 05.11.2024. As the material aspects of the investigation is completed, there are no pending cases against the petitioner, and a significant gap exists between the registration of the case and the arrest, the Court deems it fit and proper 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 learned I Additional District and Sessions Judge, Sangareddy.

- 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: 18.02.2025
SAI

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