

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2013 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.165 of 2024 of Prohibition and Excise Police Station, Serilingampally, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 04.12.2024, the Serilingampally Prohibition and Excise 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.165 of 2024 before the Prohibition and Excise Police, Serilingampally, for the offences punishable under Section 8(c) read with 20(b)(ii)(c) of NDPS Act.

3. Heard Sri. B.D.Raju, 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 except the allegation that the petitioner is driver of the said vehicle, no other specific allegations are levelled against the petitioner. He *thirdly* submitted that though there is no corroborative evidence, the petitioner was implicated in the case with false and fabricated allegations. He *fourthly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *fifthly* submitted that the petitioner has been in judicial custody since 04.12.2024, causing undue hardship to his family. He *sixthly* submitted that this Court has granted bail to the other accused. He *seventhly* submitted the petitioner is resident of Karnataka State, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail applications of the petitioner, *vide* Crl.M.P.Nos.2542 of 2024 and 39 of 2025 were dismissed by the I Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar, on 26.12.2024 and 16.01.2025, respectively, 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 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 there is no incriminating evidence to prove the alleged offence against the petitioner and there are no criminal cases are pending against the petitioner. It is noteworthy that the petitioner is languishing in jail from 04.12.2024 and material part of the investigation is also completed. Therefore, 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 District and Sessions Judge, Ranga Reddy District at L.B.Nagar.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, 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.(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: 19.02.2025

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