

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2255 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.856 of 2024 of Shameerpet Police Station, Cyberabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 06.12.2024, the Shameerpet 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.856 of 2024 before the Shameerpet Police, Cyberabad, for the offences punishable under Sections 8(c) read with 20(b)(ii)(c), 27(A) and 29 of NDPS Act.

3. Heard Sri Umesh Singh, 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 is innocent and he is no way concerned with the alleged offences. He further submitted that though there is no corroborative evidence, the petitioner was implicated in the case with false and fabricated allegations and that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He contended that the petitioner has been in judicial custody since 07.12.2024, causing undue hardship to his family. Therefore, 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 seized contraband is commercial quantity and also investigation is not yet completed, therefore, at this stage, granting bail to the petitioner does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions made by both the learned counsel and reviewing the material available on record, it is apparent that the petitioner is implicated in the case as he was accompanying with accused No.1, who is in possession of

the seized contraband. It is noteworthy that the petitioner accompanied accused No.1 only to get suitable job. Since the petitioner is languishing in jail from 07.12.2024 and also as material part of investigation is completed, 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 the learned VII Additional Chief Judicial Magistrate, Cyberabad at Medchal.
- 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: 20.02.2025
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