

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2788 of 2025

ORDER:

Seeking the Court to enlarge the petitioner in Crime No.106 of 2024 of Chiragpally Police Station, Sangareddy, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 09.09.2024, the Chiragpally 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.106 of 2024 before the Chiragpally Police, Sangareddy, for the offences punishable under Section 8(c) read with 20(b)(ii)(C) of the NDPS Act.

3. Heard Sri Lamba Sai Kumar Yadav, 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, who is driver by profession, 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 the petitioner has been in judicial custody since 10.09.2024, causing undue hardship to his family. He *fourthly* submitted that previously bail applications of the petitioner *vide* Crl.M.P.Nos.1089, 1173 and 1285 of 2024 were dismissed by the I Additional District and Sessions Judge, Sanga Reddy, on 09.10.2024, 30.10.2024 and 06.12.2024, respectively, without valid reasons. He *lastly* submitted that the petitioner is resident of Karnataka State, with movable and immovable properties, and is willing to furnish sureties as directed 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 seized contraband is commercial quantity and also 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 though the petitioner is languishing in jail from 10.09.2024, no charge sheet is filed

till date. 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 First Class Magistrate at Zaheerabad.
- 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: 04.03.2025
gms

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