

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2945 of 2025

ORDER:

Seeking the Court to enlarge the petitioner/accused No.1 in Crime No.481 of 2024 of Mangalhat Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 28.08.2024, the Mangalhat 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.481 of 2024 before the Mangalhat Police, Hyderabad, for the offences punishable under Sections 8(c) read with 20(b)(ii)(C) and 29 of the NDPS Act.

3. Heard Sri Swathi Sharma, 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 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 29.08.2024, causing undue hardship to his family. He *lastly* submitted that the petitioner is resident of Odisha 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 the petitioner is languishing in jail from 29.08.2024 and material part of investigation is also completed. It is noteworthy that 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
Sessions Judge, Nampally, Hyderabad.

- 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: 07.03.2025

gms

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