

THE HONONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.3040 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking regular bail to the petitioner/accused No.4 in Crime No.619 of 2024 on the file of the P.S. Abdullapurmet, Rachakonda Commissionerate, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 12.11.2024 the Abdullapurmet 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. Basing on the same a case was registered in Crime No.619 of 2024.

3. Heard Mr.David Robartson, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for 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 and that the petitioner was falsely implicated in the aforesaid crime. He further submitted that the police have not seized the contraband from the custody of the petitioner and the same was seized from the other accused. He further submitted that the petitioner was arrested on 12.11.2024 and since then he has been in judicial custody and he is not having any criminal antecedents. He further submitted that accused Nos.1, 2 and 3 in the said crime were already enlarged on bail. He further submitted that the investigation is completed except filing of the charge sheet and the petitioner is ready to cooperate with the investigation and also ready and willing to abide the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

5. On the other hand, learned Additional Public Prosecutor is not disputing the bail granted to accused Nos.1, 2 and 3. However, he submitted that the investigation is under progress and at this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner/accused No.4 was arrested on 12.11.2024 and no criminal antecedents are reported against the petitioner/accused No.4. It is also pertinent to mention that accused Nos.1, 2 and 3 in the said crime were already released on bail.

7. Taking into consideration of the facts and circumstances of the case and submissions made by the respective parties, this Court is inclined to grant bail to the petitioner/accused No.4, subject to the following conditions:

(i) The petitioner/accused No.4 shall execute a personal bond for a sum of Rs.50,000/-(Rupees fifty Thousand only) with two sureties for a like sum each to the satisfaction of the learned XIV Additional Metropolitan Magistrate, Cyberabad at Hayathnagar.

(ii) The petitioner/accused No.4 shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of eight (8) weeks or till filing of the charge sheet, whichever is

earlier, for the purpose of investigation and thereafter, as and when required.

iii) The petitioner/accused No.4 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

(iv) After release, if the petitioner is involved in similar offence, the bail granted by this Court shall stand cancelled.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 12.03.2025
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