

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.3670 of 2025

ORDER:

This criminal petition is filed by the petitioner/A4 under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) to enlarge the petitioner on bail in Crime No.79 of 2025 of Chaitanyapuri Police Station, Ranga Reddy District, registered for the offence punishable under Section 8(c) read with 21(C) and Section 29 of the Narcotic Drugs And Psychotropic Substances Act, 1985 (for short, "the NDPS Act").

2. Heard Sri G. Jayendra Balaji, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

3. The case of the prosecution is that on 28.01.2025, on receipt of credible information the deputed staff has apprehended the petitioner/Accused No.4 and brought him to police station and on interrogation, he gave his confession statement, wherein it is stated that he is studying BBA at Pragathi Degree College, but he failed

some subjects in final year and currently preparing for those exams. It is further stated that the petitioner along with Accused No.2 addicted to consumption of alcohol and cigarettes since intermediate and both of them drank the drug by mixing in water and that the petitioner provided MDMA drug to Accused No.3 and the same drug weighing 37.5 grams was seized from Accused No.3 under confession-cum-seizure panchanama in the presence of two mediators. The investigation reveals that the petitioner and Accused No.2 provided the said MDMA drug to Accused No.3 for their monetary gains and the accused were placed before the IV Additional Metropolitan Magistrate-cum-IV Additional Junior Civil Judge, L.B. Nagar on 29.01.2025, who, in turn, remanded them to the judicial custody.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the present crime. He further submits that the contraband is seized from Accused No.3 only. The petitioner is a student and is studying BBA in Pragathi

Degree College, Kukatpally, which is affiliated to Osmania University. The said University issued notification proposing to conduct examinations and the petitioner has to appear for the said examinations on 21.03.2025, 22.03.2025 and 24.03.2025. He further submits that the petitioner was arrested on 28.01.2025 and since then he is in judicial custody and he is ready and willing to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court. He further submits that the petitioner is not involved in any other crime and also not committed the very same offence.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence under the NDPS Act and the investigation is under progress and at this stage, the petitioner is not entitled for grant of bail. However, he has not disputed that the petitioner is not involved in any other crime.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioner is a student and is

studying BBA in Pragathi Degree College, Kukatpally, and he has to appear the examinations which are going to be conducted on 21.03.2025, 22.03.2025 and 24.03.2025. The record further reveals that the petitioner was arrested on 28.01.2025 and since then he is in judicial custody.

7. Taking into consideration the facts and circumstances of the case and that the petitioner was in judicial custody since 28.01.2025, this Court is inclined to grant bail to the petitioner on the following conditions:

(1) The petitioner/A4 is enlarged on bail on executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousands only) with two sureties for a like sum each to the satisfaction of the IV Additional Metropolitan Magistrate-cum-IV Additional Junior Civil Judge, L.B. Nagar.

(2) The petitioner shall appear before the concerned SHO at 11:00 A.M. on every Tuesday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required.

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

(4) The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

8. Accordingly, the criminal petition is allowed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 20.03.2025
ES