

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.3553 of 2025

ORDER:

This criminal petition is filed by the petitioner/A1 under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) to enlarge him on bail in COR.No.19 of 2025 on the file of Prohibition and Excise Police Station, Hayathnagar, Ranga Reddy District, for the offence punishable under Section 8(c) read with 20(b)(ii)(B) of the Narcotic Drugs And Psychotropic Substances Act, 1985 (for short, "the NDPS Act").

2. Heard Sri Baskula Athik, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent State.

3. The case of the prosecution is that on 05.03.2025, on receipt of credible information, the Prohibition and Excise DTF, Saroornagar along with his staff raided the subject premises and arrested the accused persons and seized 1.28 kgs of Dry Ganja, one Yamaha bike, two mobile phones from them and the same were handed over to the Station

House Officer, Hayathnagar, and thereafter registered the above crime for the above said offences.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the above crime. He further submits that the seized contraband is only 1.280 kg of Dry Ganja, which is considered as an intermediate quantity as per the provisions of the NDPS Act and that the petitioner is ready 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 an accused in any other crime.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner is involved in grievous offence under the provisions of the NDPS Act and investigation is under progress. Therefore, at this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by both the parties and after perusal of the material available

on record, it is pertinent to mention that the contraband seized was 1.280 kgs of Dry Ganja, which is an intermediate quantity, and the petitioner was arrested on 05.03.2025 and since then he is in judicial custody. It is brought to the notice of this Court that the petitioner is not an accused in any other crime.

7. Taking into consideration the facts and circumstances of the case and that the petitioner was in judicial custody since 05.03.2025, this Court is inclined to grant bail to the petitioner on the following conditions:

(1) The petitioner/A1 is enlarged on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousands only) with two sureties for a like sum each to the satisfaction of the Special Judicial First Class Magistrate, Excise-cum-V Additional Metropolitan Magistrate, Ranga Reddy District at L.B. Nagar.

(2) The petitioner 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 charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required.

(3) 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: 18.03.2025
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