

THE HONONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.3992 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.3 in Crime No.1199 of 2024 on the file of P.S. L.B.Nagar, Rachakonda, registered for the offences punishable under Sections 8(C) r/w 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 12.11.2024, on receipt of credible information, Police apprehended petitioner along with other accused and seized 3319 grams of Hash oil. Basing on the same, a case was registered in Crime No.1199 of 2024.

3. Heard Ch.Raj Kumar, learned for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that petitioner is no way concerned with the seizure of contraband and the contraband was seized from the possession of other accused and he was falsely

implicated in the said crime. He further submitted that the petitioner was arrested on 12.11.2024 and since then he is in judicial custody. He further submitted that this Court has granted bail to accused No.2 in the said crime, under special circumstances and major part of the investigation is completed. He further submitted that there are no criminal antecedents against the petitioner and he is ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner/accused No.3 has committed grave offence under Section 20(b)(ii)(C) of NDPS Act and the quantum of recovery of contraband constitutes commercial quantity and investigation is under progress. Hence, 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 petitioner was arrested on 12.11.2024 and no criminal antecedents are reported against the petitioner.

7. Taking into consideration 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.3, subject to the following conditions:

(i) The petitioner/accused No.3 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 II Additional Junior Civil Judge-cum-II Additional Magistrate First Class, at L.B.Nagar

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

(iii) After release, if the petitioner/accused No.3 is involved in similar offence, the bail granted by this Court shall be cancelled.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 26.03.2025

vsl