

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.4614 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.25 under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) seeking grant of regular bail in Crime No.1661 of 2024 on the file of Station House Officer, Miyapur Police Station, Rachakonda District, registered for the offence punishable under Section 8(c) read with 22(B), 22(C) and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, "the NDPS Act").

2. Heard Sri Sumanth Ravuri, learned counsel for the petitioner/accused No.25 and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 04.12.2024, on receipt of credible information about illegal transportation of psychotropic substances, the Sub-Inspector of Police, Miyapur Police Station, along with his staff conducted check near Chanda Nagar Railway Station, Serilingampally, and found the petitioner/accused No.25 and other accused in suspicious circumstances and apprehended them and

seized 1.004 kgs of Hashish Oil from them and registered the aforesaid crime for the aforesaid offences.

4. Learned counsel for the petitioner submits that the petitioner/accused No.25 has not committed the offence and the Police have not followed the mandatory procedure prescribed under Section 52A(2) of NDPS Act and the petitioner was falsely implicated in the present crime and the contraband seized from all the accused is only 1.004 kgs of Hashish Oil. He further submits that the petitioner/accused No.25 was arrested on 09.03.2025 and since then he is in judicial custody and material part of the investigation has already been completed except filing of charge sheet. He further submits that accused Nos.1 to 4 and 7 in the aforesaid crime have already been enlarged on bail. He prays that the petitioner/accused No.25 be granted bail as he does not have any criminal antecedents and he is ready and willing to cooperate with the investigation and also abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the investigation is in progress and the petitioner/accused No.25 has

committed grave offence under the NDPS Act and therefore, at this stage, the petitioner/accused No.25 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 reveals that the contraband seized from the accused is 1.004 kgs of Hashish oil and the petitioner/accused No.25 was arrested on 09.03.2025 and since then he is in judicial custody. It is not in dispute that the petitioner/accused No.25 is not involved in any other crime, including similar offence and the accused Nos.1 to 4 and 7 in the aforesaid crime have already been released on bail.

7. In view of the same, this Court is inclined to grant bail to the petitioner/accused No.25 subject to the following conditions:

(1) The petitioner/accused No.25 is enlarged on bail on his executing a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousand only) with two sureties for a like sum each to the satisfaction of the I Additional District and Sessions Judge, Ranga Reddy District.

(2) The petitioner/accused No.25 shall appear before the concerned Station House Officer 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) After release, if the petitioner/accused No.25 has committed similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

(4) The petitioner/accused No.25 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of BNSS).

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 08.04.2025

vsl