

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4806 of 2025

ORDER:

This Criminal Petition is filed by the petitioner/A10 under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail in Crime No.375 of 2024 on the file of Bibinagar Police Station, Yadadri-Bhongir District, Rachakonda Commissionerate, registered for the offences punishable under Section 8(c) read with Sections 21(C) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 25.11.2024 at 13:50 hours, the Sub-Inspector of Police, N.Ramesh, received credible information about a drug supply. He gathered a team and intercepted two white Hyundai Verna cars near the Railway underpass, Bibinagar. The cars were driven by the other accused. Upon searching the vehicles, they found 100 kgs of Mephedrone, a banned drug, in four travel bags. The accused confessed to manufacturing and supplying of the said drug, and Accused No.1 stated that he, along with Bhanu Prasad and others, manufactured Mephedrone at Yadadri Life Sciences factory and supplied it to Faizan, who would deliver it to Mumbai. Faizan

confessed to collecting the drug from Bhanu Prasad and Accused No.1 and delivering it to Mumbai, and Accused No.3 confessed to escorting the vehicles during the drug deliveries. The police seized the drugs, cell phones, and vehicles, and arrested the petitioner and other accused.

3. Heard Sri Almas Mohammed, learned counsel for the petitioner and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the present crime. The contraband seized by the police pertains to Ephedrine. However, they wrongly mentioned in the first information report as Mephedrone. The said contraband was sent for analysis report and accordingly, the Telangana Forensic Science Laboratory after conducting test issued report on 20.02.2025 stating that the seized contraband is "Ephedrine", and the said contraband is not included in the schedule of the NDPS Act. He further submits that the petitioner is ready and willing to cooperate with the investigation pending if any, and also abide by the conditions, which are going to be imposed by this Court. Therefore, he prayed to grant anticipatory bail to the petitioner.

5. *Per contra*, learned Additional Public Prosecutor submits that investigation is under progress and at this stage, the petitioner is not entitled for grant of anticipatory bail. However, he has not disputed that the contraband seized from the petitioner is Ephedrine and not Mephedrone and the same is not included in the schedule of the NDPS Act.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the contraband seized from the petitioner pertains to Ephedrine and the same is not included in the schedule of the NDPS Act. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.10 subject to the following conditions:

- i) The petitioner/accused No.10 is directed to surrender before the S.H.O., Bibinagar Police Station, Rachakonda Commissionerate on or before 19.04.2025 and on such surrender, the Station House Officer is directed to enlarge the petitioner on bail on his executing a personal bond for a sum of Rs.25,000/-(Rupees Fifty thousand only), with two sureties for a like sum each to his satisfaction.

- ii) The petitioner/accused No.10 shall appear before the concerned S.H.O. at 11-00 a.m. on every Monday for a period of eight weeks or till filing of charge sheet, whichever is earlier, for the purpose of investigation and thereafter, as and when required.
- iii) The petitioner/accused No.10 shall abide by the conditions stipulated under Section 483(3) of BNSS.
- iv) After release, if the petitioner/accused No.10 is involved in similar offences, the bail granted by this Court shall stand cancelled.

7. Accordingly, the Criminal Petition is allowed.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

JUSTICE J.SREENIVAS RAO

Date: 11.04.2025

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