

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4712 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to, as 'BNSS') seeking bail to the petitioners/accused No.8 in Crime No.1661 of 2024 of P.S. Miyapur, Ranga Reddy District, registered for the offence under Sections 8(c) r/w 22(B), 22(C) and 27 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of prosecution in brief is that on 08.12.2024 on receipt of information about the presence of accused in the flat bearing No.602, Pent House, Shareef Manzil Building, New Hafeezpet, Miyapur, police rushed there and apprehended accused Nos.4 and 7 to 10 and seized 17 grams of MDMA from accused No.4. Basing on the complaint, police registered a case for the offences under Sections 8(c) read with Sections 22(b) and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. Heard Mr.P.Vikas Raj, learned counsel 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 has not committed alleged offence and he was falsely implicated in the said crime. He further submitted that the contraband was seized from the possession of the accused No.4 and not from the possession of the petitioner. He further submitted that the petitioner was arrested on 09.12.2024 and since then he is in judicial custody and material part of the investigation is completed. He further submitted that similar allegations are leveled against accused Nos.2 and 7 in the said crime, as they were against petitioner/accused No.8 and they approached this Court and filed Criminal Petition No.942 of 2025 and 2917 of 2025 and this Court granted bail to them on 31.01.2025 and 10.03.2025 and the petitioner is also entitled for grant of bail. He further submitted that the petitioner is ready to cooperate with the investigation and also 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.8 has committed grave offence under the provisions of NDPS Act and 17 grams of MDMA was seized from possession of the petitioner and other accused, which is a commercial quantity and the investigation is under progress. Hence, at this stage, 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 09.12.2024 and material part of the investigation is completed and accused Nos.1, 2 and 7 in the said crime were already released on bail.

7. Taking into consideration the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.8, subject to the following conditions:

(i) The petitioner/accused No.8 shall execute a personal bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the I Additional District and Sessions Judge, Ranga Reddy District Court, L.B.Nagar.

(ii) After release, the petitioner/accused No.8 shall appear before the concerned S.H.O. at 11.00 a.m. on every Monday for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

(iii) The petitioner/accused No.8 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 480(3) of BNSS.

(iv) After release, if the petitioner/accused No.8 is involved in similar offence, the respondent/State is entitled to file necessary application seeking cancellation of bail.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date: 10.04.2025

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