

THE HON'BLE SRI JUSTICE J.SREENIVAS
RAO

CRIMINAL PETITION No. 4871 of 2025

ORDER:

This criminal petition is filed by the petitioner, who is arrayed as accused No.3 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking bail in Crime No.323 of 2024 on the file of BDL Bhanoor Police Station, Sangareddy District, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(C) of the Narcotic Drugs And Psychotropic Substances Act, 1985 (for short, "the NDPS Act").

2. Heard Sri Ravuri Sai Sumanth, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

3. The case of prosecution in brief is that on 23.10.2024, the police intercepted accused No.1 at Kardanoor Village cross roads while he was transporting a large quantity of ganja in his red Brezza car bearing No. MH 46 BA 1706. Upon searching the vehicle, the police found 25 dry ganja packets wrapped in brown paper,

weighing approximately 50 kgs. During the interrogation, accused No.1 confessed the crime and stated that accused Nos.2 to 5 were also involved in the offence. Based on his confessional statement, the police arrested the petitioner and other accused on 16.11.2024.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he was falsely implicated in this crime. He further submitted that the police seized contraband from accused No.1 and basing on his confessional statement, the petitioner was implicated in this case as accused No.3 and he was arrested on 16.11.2024 and since then he is in judicial custody. He also submitted that entire investigation is completed except filing of charge sheet and the petitioner is not having criminal antecedents and he is ready and willing to cooperate with the investigation and he will abide by the conditions, which are going to be imposed by this Court.

5. *Per contra*, learned Additional Public Prosecutor opposed the bail petition and submitted that the petitioner has committed a grave offence punishable under the provisions of the NDPS Act

and the police seized 50 kgs of ganja, which is commercial quantity as per the provisions of the NDPS Act. Moreover, the investigation is under progress and therefore, if the petitioner is granted bail, there is every chance to influence the witnesses and to interfere with the investigation. 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 the petitioner was arrested on 16.11.2024 and since then he is in judicial custody. Even according to the learned Additional public Prosecutor, the petitioner is not having criminal antecedents and 17 witnesses were examined. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.3 subject to the following conditions:

- i) The petitioner/accused No.3 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 learned Additional District and Sessions Judge, Sangareddy.
- ii) The petitioner/accused No.3 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.3 shall abide by the conditions stipulated under Section 483(3) of BNSS.

iv) After release, if the petitioner/accused No.3 is involved in similar offences, the bail granted by this Court shall stand cancelled.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 15.04.2025
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