

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No. 4873 of 2025

ORDER:

This criminal petition is filed by the petitioner/accused No.1 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) to enlarge him on bail in Crime No.992 of 2024 on the file of Mailardevpally Police Station, Cyberabad Commissionerate, 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 S.Chandrashekhar Yadav, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

3. The case of prosecution in brief is that on 29.12.2024, the Police seized the contraband when accused No.2 along with other accused are buying and selling the contraband illegally to the general public in order to earn money in an easy manner. Basing on the same, the present crime was registered for the aforesaid offences.

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 i.e. 18.2 kgs of dry ganja from the petitioner and the remaining contraband was seized from the other accused. He also submitted that very same allegations are levelled against accused Nos.2 to 4 and they were already released on bail and entire investigation is completed except filing of charge sheet. The petitioner was arrested on 29.12.2024 and since then he is in judicial custody. The petitioner is not having any 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. Hence, he prayed to grant bail to the petitioner.

5. *Per contra*, learned Additional Public Prosecutor opposed the bail petition and submitted that the petitioner has committed a grave offence, which is punishable under 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 29.12.2024 and since then he is in judicial custody. Even according to the learned Additional public Prosecutor, 17 witnesses were examined and the other accused were already released on bail. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.1 subject to the following conditions:

- i) The petitioner/accused No.1 is enlarged on bail on his executing 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 the learned I Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar.
- ii) The petitioner/accused No.1 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) After release, if the petitioner/accused No.1 is involved in similar offences, the bail granted by this Court shall stand cancelled.
- iv) The petitioner/accused No.1 shall abide by the conditions stipulated under Section 483(3) of BNSS.

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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