

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4932 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.2 in Crime No.407 of 2024 on the file of the Police Station, Nampally, Hyderabad, registered for the offences punishable under Sections 8(c) read with 20(b)(ii)(C), 29 of NDPS Act, 1985.

2. The case of the prosecution is that on 14.12.2024 at about 15:35 hours, on credible information, the Sub-Inspector of Police, P.S.Nampally, along with staff proceeded towards Nampally Railway Station, Hyderabad and apprehended accused Nos.1 to 3 and petitioner/accused No.2 in suspicious circumstances and seized 30.00 kgs of Ganja from their possession.

3. Heard Mr.M.Mahesh, learned counsel representing Mr.B.Rajini, 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 offences and he was falsely implicated in the said crime. The petitioner was arrested on 14.12.2024 and since then, he is in judicial custody and entire investigation is completed, except filing of charge sheet. The petitioner is eking his livelihood by working as a master in fast food center. The petitioner is only sole bread winner of his family and the petitioner is not having any criminal antecedents. The petitioner is ready and willing to cooperate with the investigation and also abide by the conditions that may be imposed by the Court. Hence, prayed to grant bail to the petitioner.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed the grave offence under provisions NDPS Act. The contraband seized by the Police is more than the commercial quantity and 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 the petitioner was arrested on 14.12.2024 and

since then he was in judicial custody and even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents and 13 witnesses were already examined.

7. Taking into consideration of the facts and circumstances of the case and submissions made by the respective parties, this Court is inclined to grant bail to the petitioner/accused No.2, subject to the following conditions:

(i) The petitioner/accused No.2 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 XII Additional Chief Judicial Magistrate, Nampally.

(ii) The petitioner/accused No.2 shall appear before the concerned SHO 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.

iii) After release, if the petitioner/accused No.2 violates any such conditions imposed by this

Court, the respondent-State is entitled to file application seeking cancellation of bail.

iv) The petitioner/accused No.2 shall abide by the conditions stipulated in Section 480 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 16.04.2025
mnv

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4932 of 2025

Date: 16.04.2025

mnv