

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.5115 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.2005 of 2024 on the file of Gachibowli Police Station, Ranga Reddy District, registered for the offences punishable under Section 8(c) r/w Sections 20(b)(ii)(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 19.12.2024, on receipt of credible information regarding sale of drugs near Unos Food court, Drive In, DLF Gachibowli, the Sub-Inspector of Police, Gachibowli Police Station, along with his staff went there and apprehended the petitioner and other accused and seized 14 grams of MDMA from them. Basing on

the same, the aforesaid crime was registered against the accused.

3. Heard Mr. Ravuri Sai Sumanth, learned counsel for the petitioner/accused No.2 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent/State.

4. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged against him and he was falsely implicated in this crime. He further submits that even according to the complaint and remand case diary, the contraband was seized from accused No.1 only and the only allegation levelled against the petitioner/accused No.2 is that he travelled along with accused No.1 at the time of seizure of the contraband and the ingredients of Section 8(c) r/w Sections 20(b)(ii)(c) and 29 of the NDPS Act are not attracted against the petitioner. He further submits that the petitioner was arrested on 19.12.2024 and since then he is in judicial

custody and he is not having any other criminal antecedents and he is ready to cooperate with the investigation and also abide by the conditions as may be imposed by this Court. Therefore, he prays to release the petitioner on bail.

5. On the other hand, learned Additional Public Prosecutor opposed the bail petition stating that the petitioner is involved in grave offence under the provisions of NDPS Act and the investigation is under progress and at this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by learned counsel for the parties and after perusal of the material available on record, it reveals that the petitioner/accused No.2 was arrested on 19.12.2024 and since then he is in judicial custody and even according to the learned Additional Public Prosecutor, nine witnesses were already examined.

7. In view of the same, 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.50,000/-(Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of I Additional District & Sessions Judge, Ranga Reddy District,

(ii) On such release, the petitioner/accused No.2 shall appear before the concerned Station House Officer 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) The petitioner/accused No.2 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

(iv) It is made clear that after release, if the petitioner/accused No.2 involves in similar offences, respondent/State is at liberty to file an application seeking cancellation of bail.

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8. Accordingly, this Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 21.04.2025
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J.SREENIVAS RAO, J