

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.5188 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) seeking regular bail in connection with Crime No.1432 of 2024 on the file of the Station House Officer, Meerpet Police Station, Ranga Reddy District, registered for the offence punishable under Section 8(c) read with Sections 15(c) and 29 of the Narcotic Drugs And Psychotropic Substances Act, 1985 (for short, “the NDPS Act”).

2. Heard Sri J.Naresh Kumar, learned counsel for the petitioner/accused No.1 appearing through video conference and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 15.12.2024, at about 16:00 hours, on receipt of credible information that

three persons were in possession of poppy straw at Plot No.101, Ashok Reddy Colony, Badangpet, Meerpet, the Inspector of Police, Meerpet Police Station, along with his staff, conducted raid at the said place and apprehended the petitioner and other accused and seized 53.6 kgs of poppy straw from them. Basing on the same, the aforesaid crime was registered against the accused.

4. Learned counsel for the petitioner submits that the petitioner/accused No.1 has not committed any offence and he was falsely implicated in the present crime and the contraband was seized from other accused and there are no specific allegations against the petitioner to attract the ingredients of the provisions of the NDPS Act and the entire investigation is completed except filing of charge sheet. He further submits that the entire allegations are levelled against accused Nos.2 and 3 and they were already arrested and granted bail *vide* separate orders dated 04.04.2025 passed in CrI.P.Nos.4267 and 4463 of 2025 and the petitioner was

arrested on 15.12.2024 and since then he is in judicial custody and he is the sole breadwinner of his family and his parents are suffering from old age ailments and his presence is required and prays to grant bail as he is ready and willing to cooperate with the investigation and also abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner/accused No.1 stating that the petitioner has committed a grave offence punishable under the provisions of NDPS Act and contraband seized from the petitioner and other accused is 53.6 kgs of poppy straw, which is a commercial quantity and the investigation is under progress and if the petitioner is granted bail at this stage, he will interfere with the investigation and influence the witnesses and prays to dismiss the criminal petition.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record,

it reveals that the petitioner was arrested on 15.12.2024 and since more than 120 days, he is in judicial custody and he is the sole breadwinner of the family and he has old aged parents. It is relevant to note that accused Nos.2 and 3 filed bail petitions *vide* Crl.P.Nos.4267 and 4463 of 2025, which were allowed and bail was granted to the said accused *vide* separate orders dated 04.04.2025.

7. In view of the same, this Court is inclined to grant bail to the petitioner/accused No.1 subject to the following conditions:

- (i) The petitioner/accused No.1 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 VI Additional Metropolitan Magistrate at L.B.Nagar.
- (ii) On such release, the petitioner/accused No.1 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.1 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.1 indulges in similar offences, the respondent/State is at liberty to file an application seeking cancellation of bail.

8. Accordingly, the Criminal Petition is allowed.

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

Date: 22.04.2025
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J.SREENIVAS RAO, J