

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5397 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner, who is arrayed as accused No.3, seeking bail in Crime No.522 of 2025 of Madhapur Police Station, Cyberabad, registered for the offences punishable under Sections 8(c) read with 20(b)(ii)(B), 27 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

2. The case of prosecution in brief is that on 26.03.2025, the Sub-Inspector of Police, Miyapur Police Station, on receiving the information about illegal sale of ganja at VIP Hills, Ayyappa Society, went to that place along with staff and found four accused in the house and seized 1996 grams of ganja from their possession under a cover of panchanama. Hence, the complaint.

3. Heard Mr. P. Krishna, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the offence and he was falsely implicated in the present crime. The police seized 1.996 kgs. of dry ganja, which is an intermediate quantity. The petitioner was arrested on 27.03.2025 and since then, he has been in judicial custody. He further submitted that the material part of the investigation is completed, except filing of charge sheet. The petitioner is not having any criminal antecedents and he was not involved in similar offence under NDPS Act. The petitioner is ready to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court. Hence, the petitioner is entitled for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed a grave offence under the provisions of the NDPS Act and the investigation is under progress. Therefore, 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 police seized contraband i.e., 1.996 kgs. of dry ganja, which is intermediate quantity. The petitioner

was arrested on 27.03.2025 and since then, he is in judicial custody. Even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents. 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 shall execute 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 I Additional District Judge, Ranga Reddy District at L.B. Nagar.
- (ii) The petitioner/accused No.3 shall appear before the concerned S.H.O. at 11.00 A.M. on every Sunday, for a period of eight (8) weeks or till filing of the charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- (iii) After release, if the petitioner/accused No.3 is involved in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

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

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 24.04.2025

mar