

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5401 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.21, seeking bail in Crime No.1661 of 2024 of Miyapur Police Station, Cyberabad, registered for the offences punishable under Sections 8(c) read with 22(B), 22(C) and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

2. The case of prosecution in brief is that on 05.12.2024, on credible information, the Miyapur Police along with STF team conducted checking near Chandanagar Railway Station, Serilingampally and found that the accused persons are buying and selling the contraband illegally to the general public in order to earn money in an easy manner intercepted the accused and found 17 grams of MDMA and seized the same from the possession of accused Nos.1 and 2, under a cover of panchanama. Hence, the report.

3. Heard Mr. B. Vikas Raj, 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 alleged contraband was seized from accused Nos.1 to 4 only. The only allegation levelled against the petitioner is that he is a peddler. The petitioner was arrested on 14.03.2025 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. 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. Learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner and stated that the investigation is not yet completed, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the seized contraband is intermediate quantity. The petitioner is languishing in jail from 14.03.2025 and the material part of the investigation is completed. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.21, subject to the following conditions:

- (i) The petitioner/accused No.21 shall execute a personal bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties for a like sum each to the satisfaction of I Additional District and Sessions Judge, Ranga Reddy District at L.B. Nagar.
- (ii) The petitioner/accused No.21 shall appear before the concerned S.H.O. at 11.00 A.M. on every Monday, 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.21 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.21 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

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