

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.5433 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.767 of 2024 on the file of the Station House Officer, Abdullapurmet Police Station, Ranga Reddy District, registered for the offence punishable under Section 8(c) read with Sections 20(b)(ii)(c), 27(A) and 29 of the Narcotic Drugs And Psychotropic Substances Act, 1985 (for short, "the NDPS Act").

2. The case of the prosecution is that on 23.12.2024, on receipt of credible information regarding illegal transport of hash oil from Odisha State to Hyderabad in Swift VXI car bearing registration No.OD30 E4049 (blue colour), the Sub-Inspector of Police, Abdullapurmet Police Station, along with his staff reached near Krishnaveni Talent School Kaman,

near old police Station on NH65 road, Abdullapurmet Village and Mandal, between 17:00 hours and 17:30 hours and kept watch on the suspected vehicle and apprehended the petitioner and other accused and seized 4.310 litres of hash oil. Based on their confession, the aforesaid crime was registered against the accused.

3. Heard Sri S.Chandrashekhar Yadav, learned counsel for the petitioner/accused No.1 and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

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 police have not seized any contraband from the possession of the petitioner so as to attract the ingredients of Section 8(c) read with Sections 20(b)(ii)(c), 27(A) and 29 of the NDPS Act and the alleged contraband of 4.310 litres of hash oil was seized from the petitioner and other accused. Learned counsel

further submits that the petitioner was arrested on 23.12.2024 and since then he is in judicial custody and the entire investigation is completed except filing of charge sheet and the petitioner is not having any criminal antecedents and the very same allegations, as levelled against the petitioner herein, were levelled against accused Nos.2 to 4 and 6 in the aforesaid crime and they were arrested and already released on bail and prays to grant bail to the petitioner/accused No.1 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 the contraband seized from the petitioner and other accused is 4.310 litres of hash oil, 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 23.12.2024 and since then, he is in judicial custody and he is not having any criminal antecedents.

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 I Additional District and Sessions Judge, Ranga Reddy District 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: 24.04.2025
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J.SREENIVAS RAO, J