

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5478 of 2025

ORDER:

This criminal petition is filed by the petitioner/A3 under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) seeking regular bail in Crime No.282 of 2024 on the file of Maheshwaram Police Station, Ranga Reddy District, registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(C) of the Narcotic Drugs And Psychotropic Substances Act, 1985 (for short, "the NDPS Act").

2. The case of the prosecution is that on 29.07.2024, the Maheshwaram Police seized the contraband of 50.420 Kgs of ganja from the accused persons, who are buying and selling the same illegally to the general public in order to earn money in an easy manner and registered the present crime.

3. Heard Sri P. Vikasraj, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the present crime basing on the confessional statement given by other accused. Even according to the complaint as well as the remand case diary, the contraband was seized from accused Nos.1 and 2 only. He further submits that accused Nos.1 and 2 were already enlarged on bail. The entire investigation is completed and charge sheet is also filed. The petitioner was arrested on 29.01.2025 and since then he is in judicial custody and that he is ready and willing to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence under the provisions of the NDPS Act and the contraband seized from the petitioner and other accused is a commercial quantity. At this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that accused Nos.1 and 2 were already enlarged on bail and the same was not disputed by the learned Additional Public Prosecutor. The petitioner was arrested on 29.01.2025. Even according to the learned Additional Public Prosecutor charge sheet was filed against accused Nos.1 and 2, the investigating officer conducted investigation and 17 witnesses were already examined and the investigating officer has to file additional charge sheet in respect of the petitioner and that the petitioner is not involved in similar offence and he is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner on the following conditions:

- (1) The petitioner/A3 is enlarged on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the I

Additional District and Sessions Judge, Ranga Reddy District at L.B. Nagar.

(2) The petitioner/A3 shall appear before the concerned SHO at 11:00 A.M. on every Monday for a period of eight (8) weeks or till filing of additional charge sheet whichever is earlier, for the purpose of investigation and thereafter as and when required.

(3) After release, if the petitioner/A3 indulges in the very same offence, the respondent State is at liberty to file an application seeking cancellation of the bail granted in his favour.

(4) The petitioner/A3 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

8. Accordingly, the criminal petition is allowed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 28.04.2025
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