

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 5793 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused No.3 in Crime No.214 of 2024 on the file of P.S. Suraram, Cyberabad, registered for the offences punishable under Sections 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of prosecution in brief is that on 15.04.2025, on receipt of credible information, Police caught the accused Nos.1 and 2 redhandedly and seized 11.5 kgs of ganja and upon their confessional statement, the involvement of accused Nos.3, 4 and 5 came into light. Basing on the same, a case was registered in Crime No.214 of 2025.

3. Heard Sri S.Chandrashekar Yadav, learned counsel for petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for petitioner submitted that petitioner has not committed alleged offence and he was falsely implicated in the above crime, basing on the confession statement given by accused Nos.1 and 2 and the contraband was seized from accused Nos.1 and 2 and only allegation made in the complaint against the petitioner is that himself and one Ms.Krishnaveni are suppliers of ganja and the petitioner has not supplied any contraband. He further submitted that petitioner is not having any other criminal antecedents and major part of the investigation is completed. He further submitted that the petitioner is ready to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for grant of anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave offence and specific allegations are leveled against the petitioner/accused No.3 and investigation is under progress and if the petitioner/accused No.3 is granted anticipatory bail at this stage, he may tamper with the

evidence and may threaten the witnesses, and hence, prayed to dismiss the 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 contraband seized was 11.5 kgs. of Ganja, which is an intermediate quantity. Even according to the learned Additional Public Prosecutor, 10 witnesses were already examined and petitioner is not having any other criminal antecedents.

7. Taking into consideration of the above facts, this Court is of the considered view that petitioner/accused No.3 is entitled for grant of anticipatory bail, subject to the following conditions:

1. The petitioner/accused No.3 shall surrender before the Station House Officer of Suraram, Police Station, Cyberabad on or before 03.05.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.3 on bail on his executing a personal bond for Rs.30,000/- (Rupees Thirty Thousand only) with two sureties, for the like sum each.
2. The petitioner/accused No.3 shall appear before the concerned SHO at 11.00 A.M. on every Saturday, 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.

3. After release, if the petitioner/accused No.3 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.
 4. The petitioner/accused No.3 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.
8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 28.04.2025

vsl