

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5842 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.2 in COR No.123 of 2024 on the file of the Prohibition & Excise Police Station, Saroornagar, Ranga Reddy District registered for the offences punishable under Section 8(c) r/w. 20 (b) (ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act).

2. The case of the prosecution is that on 21.02.2025, on receipt of credible information that there is illegal business of selling and purchasing of dry ganja, Police apprehended the petitioner along with other accused and seized 2.210 Kgs. of dry ganja. Basing on the same, a case was registered in COR No.123 of 2024.

3. Heard Sri Ch. Ravinder, learned counsel for the petitioner/accused No.2 and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for respondent -State.

4. Learned counsel for the petitioner/accused No.2 submitted that petitioner has not committed alleged offence and he was falsely implicated in the above crime. He further submitted that the contraband was seized from the other accused and basing on the confession statement given by other accused, petitioner is arrayed as accused No.2 in the present crime. He further submitted that the seized contraband is only 2.210 kgs of dry ganja, which is considered as an intermediate quantity as per the provisions of the NDPS Act. He further submitted that the entire investigation is completed, except filing of charge sheet and the petitioner is ready to cooperate with the investigation and also ready to abide 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 specific allegations are leveled against the petitioner/accused No.2 and investigation is under progress and if the petitioner/accused No.2 is released on 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 2.210 kgs of dry ganja which is an intermediate quantity and the entire investigation is completed, except filing of charge sheet.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.2 with the following conditions:

- (i) Petitioner/accused No.2 is directed to surrender before the S.H.O., of Prohibition and Excise Police Station, Dhoolpet, Hyderabad on or before 07.05.2025 and on such surrender, the said S.H.O., shall release the petitioner/accused No.2 on bail on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum to his satisfaction.
- (ii) The petitioner/accused No.2 shall appear before the concerned S.H.O at 11.00 A.M on every Monday, for a period of eight (08) 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.2 shall abide by the other conditions stipulated in Section 482(2) of 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.

J. SREENIVAS RAO, J

Date: 02.05.2025

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