

**THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO**

**CRIMINAL PETITION No.5762 of 2025**

**ORDER:**

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.3 in Crime No.153 of 2022 on the file of the P.S. Garidepally, Suryapet, registered for the offences punishable under Section 8(C) r/w 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 19.07.2022, during a raid, police apprehended the petitioner and other accused, while travelling in a car and seized 240 kgs. of ganja. Basing on the same, Crime No.153 of 2022 was registered.

3. Heard Mr.Ravuri Sai Sumanth, learned counsel for the petitioner for the petitioner, and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned Senior Counsel for the petitioner submitted that petitioner has not committed alleged offence and he was falsely

implicated in the said crime, basing on the confession statement given by the other accused. He further submitted that the petitioner was arrested on 05.11.2024 and since more than 176 days he is in judicial custody and accused Nos.1 and 2 in the said crime were already enlarged on bail and the entire investigation is completed. He further submitted that the petitioner is eking out his livelihood by working at Tiffin Center and he is ready and willing 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 bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner/accused No.3 along with other accused has committed grave offence under the provisions of NDPS Act and 240 kgs. of ganja was seized from possession of the petitioner and other accused, which is a commercial quantity and petitioner is involved in similar offence. Hence, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that petitioner was arrested on 05.11.2024 and since

more than 176 days he is in judicial custody. Even according to the learned Additional Public Prosecutor, the investigating officer after conducting investigation, filed charge sheet on the file of the learned Additional District and Sessions Judge, Suryapet on 20.12.2024 and accused Nos.1 and 2 in the said crime were already enlarged on bail.

7. Taking into consideration the above said facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.3 subject to the following conditions:

- (i) The petitioner/accused No.3 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 the I Additional District and Sessions Judge, Suryapet.
- (ii) After release, the petitioner/accused No.3 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.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.

(iv) The petitioner/accused No.3 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 480(3) of BNSS.

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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