

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5794 of 2025

ORDER:

This criminal petition is filed by the petitioner/A1 under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking regular bail in Crime No.1199 of 2024 on the file of P.S. L.B.Nagar, Rachakonda, registered for the offences punishable under Sections 8(C) r/w 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 12.11.2024, on receipt of credible information, Police apprehended petitioner along with other accused and seized 3319 grams of Hash oil. Basing on the same, a case was registered in Crime No.1199 of 2024.

3. Heard Sri R. Prashanth, learned counsel representing Sri Ch.Raj Kumar, learned for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and they were falsely implicated in the present crime. Even according to the remand case diary, the alleged contraband seized from the petitioner and other accused is 1104 grams of Hash oil and the petitioner was arrested on 12.11.2024 and since then he was in judicial custody. He further submits that accused No.3 against whom similar allegations were leveled filed CrI.P.No.3992 of 2025 and the same was allowed by this Court on 26.03.2025. Therefore the petitioner is also entitled for grant of bail. He further submits that the petitioner is not involved in any similar offence and that the petitioner 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 contraband seized from the petitioner and other accused is 1104 grams of Hash oil, which is commercial quantity, and the investigation is under progress. Therefore, at this stage, 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 the petitioner was arrested on 12.11.2024 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, 10 witnesses were already examined and he has not disputed that accused No.3 has already enlarged on bail.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.1 on the following conditions:

- (1) The petitioner/accused No.1 is enlarged on bail on each of them executing a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousand only) with two sureties for a like sum each to the satisfaction of the II AJCJ-cum-II AJMFC at L.B. Nagar.
- (2) The petitioner/accused No.1 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 charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- (3) After release, if the petitioner/accused No.1 indulges in the very same offence, the respondent-State is

entitled to file an application seeking cancellation of bail.

(4) The petitioner/accused No.1 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.

J.SREENIVAS RAO, J

Date: 02.05.2025
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