

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION Nos. 5969 and 5976 of 2025

COMMON ORDER:

These Criminal Petitions are arising out of Crime No.25 of 2025 of Prohibition and Excise Station, Dhoolpet, Hyderabad. Hence, both these criminal petitions are heard together and disposed of by this common order.

2. These Criminal Petitions are filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioners/accused Nos.4 and 5 in COR.No.25 of 2025 on the file of Prohibition and Excise Station, Dhoolpet, Hyderabad, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

3. The brief facts of the prosecution is that on 26.03.2025, at 11:39 A.M., the Sub-Inspector of police, P&E, STF-Team B, Hyderabad, along with other staff proceeded to Shivilal Nagar Road, Dattatreya Nagar, Hyderabad and apprehended the accused Nos.1 to 3 and seized 1.302 kgs of Ganja from their possession and recorded their confession, where under the involvement of the accused Nos.4 to 7 including the petitioner/accused No.5 is came into light. The police registered the case in Crime No.25 of 2025, Excise P.S., Dhoolpet, Hyderabad for the

offences 8(c) r/w 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 and investigated into the matter. The accused No.7 surrender before the Court on 01.04.2025.

4. Heard Sri Umesh Singh, learned counsel for petitioners and Mr. Vivekananda Reddy, learned Assistant Public Prosecutor for the respondent-State.

5. Learned counsel for petitioners submitted that petitioners have not committed alleged offence and they were falsely implicated in the above crime, basing on the confession statement given by other accused and the contraband was seized from other accused. He further submitted that material part of the investigation is completed. He further submitted that the seized contraband is intermediate quantity and the ingredients under provisions of NDPS Act are not attracted against the petitioners. He further submitted that the petitioners are 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 anticipatory bail.65. *Per contra*, learned Assistant Public Prosecutor submitted that the petitioners have committed the grave offence and specific allegations are leveled against the petitioners/accused Nos.4 and 5 and investigation is under progress and if the petitioners are granted anticipatory bail at this stage, they may

tamper with the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

7. 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 1.302 kgs of ganja, which is an intermediate quantity.

8. Taking into consideration the above facts, this Court is of the considered view that petitioners/accused Nos.4 and 5 are entitled for grant of anticipatory bail, subject to the following conditions:

1. The petitioners/accused Nos.4 and 5 shall surrender before the Station House Officer of Prohibition and Excise Station, Dhoolpet, Hyderabad, on or before 13.05.2025, and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.4 and 5 on bail on executing a personal bond for Rs.30,000/- (Rupees Thirty Thousand only) each with two sureties, for the like sum each.
2. The petitioners/accused Nos.4 and 5 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 charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.
3. After release, if the petitioners/accused Nos.4 and 5 indulge in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in their favour.

4. The petitioners/accused Nos.4 and 5 shall abide by the other conditions stipulated in Section 482 (2) of the BNSS and co-operate with the Investigating Officer in investigating the case.
9. Accordingly, these Criminal Petitions are allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date:07.05.2025

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