

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6428 of 2025

ORDER:

This Criminal Petition is filed under Section 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused in Crime Occurrence Report No.16 of 2025 on the file of the Prohibition and Excise Sub-Police Station, Vikarabad District, registered for the offences punishable under Sections 8(c) read with 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 14.02.2025, the Station House Officer, Vikarabad and D.T.F. Vikarabad teams conducted raid and detected a case of illegal sale and accused persons were in possession of 26.798 Kgs of Dry Ganja. Accordingly, they were arrested and the property was seized. Basing on the same, a crime was registered in Crime Occurrence Report No.16 of 2025.

3. Heard Sri Ravuri Sai Sumanth, 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 the alleged offence and he was falsely implicated in the above crime. Even according to the allegations made in the complaint as well as panchanama, the ingredients under Section 8(c) read with 20(b)(ii)(C) of NDPS Act are not attracted. The petitioner was arrested on 14.02.2025 and since 120 days he was in judicial custody and is not having any other criminal antecedents. He further submits that the investigation is completed except for filing of charge sheet and the petitioner is eking out his livelihood by doing private job and his entire family is dependent on him and he is 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 has committed grave offence and the police seized the contraband which is commercial quantity and investigation is under progress and if the petitioner is enlarged on bail at this stage, he may interfere with the investigation and may influence 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 petitioner was arrested on 14.02.2025 and since then he is judicial custody. Even according to the learned Additional Public Prosecutor, two witnesses were examined and custodial interrogation of the petitioner is not required and also the petitioner is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused subject to the following conditions:

- (i) The petitioner/accused shall be enlarged on bail on executing 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 Judicial First Class Magistrate Court, Vikarabad.
- (ii) The petitioner/accused 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.
- (iii) After release, if the petitioner/accused 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 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 16.06.2025
PSW