

THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6525 OF 2025

O R D E R:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner-accused No.3, seeking bail in Crime No.106 of 2025 of Chikkadpally Police Station, Hyderabad, registered for the offences punishable under Section 8(c) read with Sections 20(b)(ii)(B), 27(b) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (Amendment Act, 2001).

2. Heard Mr.Rapolu Bhaskar, learned counsel for the petitioner and Mr.E.Ganesh, learned Assistant Public Prosecutor appearing for respondent-State. Perused the record.

3. The case of the prosecution, in brief, is that on 17.04.2025, while accused Nos.1 and 2 were selling 70 containers of Hash Oil to accused No.3, the Police apprehended them. The petitioner herein is a consumer. The said Hash Oil was seized from the possession of the

petitioner herein, along with other accused and remanded them to judicial custody on the very same day.

4. Learned counsel for the petitioner contended that the petitioner is an innocent person and he has been falsely implicated in the case. He further submits that no drug was seized from the possession of the petitioner and he never involved in the transportation of any narcotic substance/drug. The petitioner herein is only a consumer and the contraband seized is below commercial quantity. He further submits that the petitioner is in judicial custody since 17.04.2025 and he is ready to abide by the conditions to be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

5. Learned Assistant Public Prosecutor, on instructions, submits that the investigation is under progress and as many as 11 witnesses have already been examined. Accused No.4 is absconding. If the petitioner herein is enlarged 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 heard both sides and perused the material on record, it is evident that the petitioner herein is only a consumer; that the contraband seized is below commercial quantity and as many as 11 witnesses have already been examined. Hence, I hold that the petitioner can be enlarged on bail, subject to the following conditions:

- (i) The petitioner-accused No.3 shall be released on bail on his 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 IX Additional Chief Metropolitan Magistrate at Hyderabad. Upon furnishing such sureties, get the same verified by the concerned Police who shall file report within two days as to their genuineness and then issue the release order accordingly.
- (ii) After release, the petitioner-accused No.3 shall appear before the concerned S.H.O. at 11.00 a.m. on first and third Sunday of every month 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 any 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 480(3) of BNSS and shall co-operate with the investigation.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications pending, if any, shall stand closed.

NANDIKONDA NARSING RAO, J

Date: 14.05.2025

Lk/rev

THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6525 OF 2025

Dt. 14.05.2025

Lk/rev