

THE HON'BLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6558 OF 2025

ORDER:

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.2, seeking bail in Crime No.25 of 2025 on the file of Balanagar (Excise) Police Station, Medchal-Malkajgiri District, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(A), 21, 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the Act').

2. Heard learned counsel appearing for the petitioner/accused No.2 and learned Additional Public Prosecutor appearing for the respondent/State. Perused the entire material placed on record.

3. The case of the prosecution is that, basing on the credible information received by the Special Task Force-B Team, Hyderabad, the Excise Police searched the accused persons and found dry Ganja and MDMA drug in accused No.1's bike petrol tank cover when the Excise Police came to know that the accused persons were trying to sell the same, the Task Force Team Police caught and hold the accused persons red handedly and seized 210 grams of dry Ganja and 5.48 grams of MDMA drug from their possession.

4. Learned counsel for the petitioner/accused No.2 submits that the petitioner did not commit the alleged offences and he was falsely implicated in this crime without verifying the real facts. He further submits that the entire investigation has been completed except filing of the charge sheet. He further submits that the petitioner came to know that accused No.1 in the aforesaid crime was

already released on bail by the trial Court and the petitioner is in judicial custody since 06.04.2025 and that he is entitled for bail.

5. On the other hand, the learned Additional Public Prosecutor opposed for grant of bail stating that the petitioner is found in possession of 210 grams of dry Ganja and 5.48 grams of MDMA drug on the spot. However, he submits that there are no other criminal cases pending against the petitioner.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, as the petitioner being in the judicial custody since 06.04.2025 and as there are no other criminal cases pending against the petitioner, I hold that petitioner is entitled to be enlarged on bail, subject to the following conditions:

- (i) The petitioner/accused No.2 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 learned III Additional District and Sessions Judge cum Additional Metropolitan Sessions Judge, Medchal-Malkajgiri District at Kukatpally.

- (ii) After release, the petitioner/accused No.2 shall appear before the concerned S.H.O. in between 11.00 a.m and 2.00 p.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.2 indulges in any offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court.
- (iv) The petitioner/accused No.2 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.

JUSTICE NARSING RAO NANDIKONDA

Date: 21.05.2025

Myk/spk

THE HON'BLE SRI JUSTICE NARSING RAO NANDIKONDA

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Dt: 21.05.2025

Myk/spk