THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6646 of 2025

ORDER:

This Criminal Petition is filed by the petitioners/accused Nos.3 and 4 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) seeking regular bail in Crime No.04 of 2025 on the file of P.S.Zaheerabad Town, Sangareddy District, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution in brief is that on 03.01.2025, on receipt of credible information, Police apprehended petitioner along with others and seized 110 kgs of ganja. Basing on the same, Crime No.04 of 2025 was registered.

3. Heard Mr.D.Suryanarayana, learned counsel for the petitioners and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed the offence and they were falsely

implicated in the above crime, basing upon the confession statement given by the other accused. He further submitted that the contraband was seized from accused Nos.1 and 2 only, hence the provisions of the NDPS Act are not attracted against the petitioners. He further submitted that the petitioners were arrested on 03.01.2025 and since then they are in judicial custody. He further submitted that the investigation officer after conducting investigation, filed charge sheet before the learned I Additional District and Sessions Judge, Sangareddy, on 30.04.2025. He further submitted that the petitioners are eking out their livelihood by working as coolies and they are not having any other criminal antecedents. He further submitted that the petitioners will appear before the concerned Court as and when required and will abide by the conditions, which are going to be imposed by this Court. Hence, prayed for grant of bail. Hence, prayed for grant of bail.

5. Per contra, learned Additional Public Prosecutor submitted that petitioners have committed grave offences under the provisions of NDPS Act and 110 kgs of ganja was seized, which is a commercial quantity. Hence, the petitioners are 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 petitioners were arrested on 03.01.2025 and since then they are in judicial custody. Even according to the learned Additional Public Prosecutor, the investigation officer after conducting investigation, filed charge sheet before the learned I Additional District and Sessions Judge, Sangareddy, on 30.04.2025 and the petitioners are not having any other criminal antecedents.

7. Taking into consideration the above said facts and circumstances of the case, this Court is inclined to grant bail to the petitioners/accused Nos.3 and 4, subject to the following conditions:

> (i) The petitioners/accused Nos.3 and 4 shall be released on bail on their executing a personal bond for a sum of Rs.30,000/-(Rupees thirty thousand only) each with two sureties for a like sum each to the satisfaction of the learned I Additional Sessions Judge, Sangareddy.
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> (ii) After release, petitioners/accused Nos.3 and 4 shall appear before the learned I Additional District and Sessions Judge, Sangareddy, on each and every adjournment.

(iii) After release, if the petitioners/accused Nos.3 and 4 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in their favour.

(iv) The petitioners/accused Nos.3 and 4 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 483(3) of BNSS and shall cooperate with the investigation.

8. Accordingly, the criminal petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 17.06.2025
vsl