

**THE HON'BLE SRI JUSTICE K.SARATH**

**CRIMINAL PETITION No.6653 of 2025**

**ORDER:**

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.1 in Crime No.194 of 2025 on the file of P.S. Moinabad, Cyberabad District, registered for the offences punishable under Section 8(C) r/w 22 (C), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

**2.** Heard learned counsel for the petitioner/Accused No.1 and learned Additional Public Prosecutor appearing for the respondent/State.

**3.** The case of the prosecution is that on receiving credible information, the Sub-Inspector of Police, P.S. Moinabad arrested the petitioner on 02.04.2025 as he was found in possession of huge quantity of Narcotic Drug i.e., MDMA drug of 17.50 grams and the petitioner has been trying to sell the same to the

customers at Chitramandir Road, Aziz Nagar Village, Moinabad Mandal, Rangareddy District.

4. Learned counsel for the petitioner further submits that the petitioner/Accused No.1 is working as a decorator and earns a meager monthly income. His marriage is a love marriage and his wife is now five months pregnant. His entire family members, including his aged parents and his pregnant wife, are solely dependent on his earnings for their livelihood. The continued detention of the petitioner is causing severe emotional and financial hardship to his family particularly to his pregnant wife who is in need of care and support. His further detention in judicial custody would lead to immense distress and sufferance for his dependent family members. He further submits that the petitioner has not committed alleged offence and he was falsely implicated in the said crime. The petitioner was arrested on 02.04.2025 and since more than 56 days, he is in judicial custody. He further submits that entire investigation is completed, except filing of charge

sheet and the petitioner is not having any other criminal antecedents and he is 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 bail.

**5.** *Per contra*, learned Additional Public Prosecutor submits that petitioner/Accused No.1 has committed grave offence under the provisions of NDPS Act and was found in possession of MDMA drug in quantity of 17.50 grams. Hence, the petitioner is 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 petitioner was arrested on 02.04.2025 and since more than 56 days he is in judicial custody. Even according to the learned Additional Public Prosecutor, as many as LW.Nos.1 to 13 including the investigating officers were already examined. It is noteworthy that charge sheet is not filed

till date. Hence, considering the incarceration period, this Court is inclined to grant bail to the petitioner/Accused No.1 subject to the following condition:

- i. The petitioner/Accused No.1 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 II Additional Junior Civil Judge-cum-XII Additional Judicial Magistrate of First Class, Rangareddy at Rajendranagar.
  - ii. After release, the petitioner/Accused No.1 shall appear before the SHO, Moinabad, Cyberabad District in Crime No.194 of 2025 on every Saturday between 11 AM and 12 Noon upto eight (8) weeks or till filing of the charge sheet, whichever is earlier.
  - iii. The petitioner/Accused No.1 shall abide by the other conditions stipulated in Section 480(3) of BNSS and shall cooperate with the investigation.
- 7.** Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

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**JUSTICE K.SARATH**

**Date:** 28.05.2025

BB/PSS