

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6871 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner, who is arrayed as accused No.13, seeking bail in Crime No.30 of 2025 of Excise PS Dhoolpet, registered for the offences punishable under Section 8(c) read with Section 20 (b)(ii)(B)V of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as, ‘NDPS Act’).

2. The case of the prosecution is that the petitioner herein is doing Ganja business with co-accused and frequently purchases Ganja from accused No.1 and used to sell it to needy customers and earning easy money illegally.

3. Heard Mr.Suresh Singh, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he was falsely implicated in the present

crime as accused No.13 basing on the confessional statement given by the other accused. He further submitted that the alleged contraband was seized from the other accused and the provisions of NDPS does not attract. The petitioner was arrested on 22.04.2025 and since then she was in judicial custody. The very same allegations are leveled against accused Nos.11 and 15 and the said accused approached this Court and filed Crl.P.Nos.6579 and 6580 of 2025 for grant of regular bail and this Court allowed the above petitions on 21.05.2025. Hence, the petitioner is also entitled for grant of regular bail. He further submitted that the petitioner is not having any criminal antecedents and she is ready to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court, and hence, prayed for grant of bail.

5. *Per Contra*, the learned Additional Public Prosecutor submitted that the petitioner has committed grave offence under the provisions of NDPS Act and the investigation is under progress and charge sheet has not been filed. Therefore, 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 22.04.2025 and since then she was in

judicial custody. The record further reveals that the very same allegations are leveled against accused Nos.11 and 15 and the said accused approached this Court and filed CrI.P.Nos.6579 and 6580 of 2025 for grant of regular bail and this Court allowed the above petitions on 21.05.2025 and granted bail in their favour. Even according to the learned Additional Public Prosecutor there are no criminal antecedents against the petitioner and she is not involved in similar offences. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.13 subject to the following conditions:

- (i) The petitioner/accused No.13 is enlarged on bail on his executing a personal bond for a sum of Rs.25,000/- with two sureties for a like sum each to the satisfaction of the I Additional Chief Judicial Magistrate, Nampally at Hyderabad.
- (ii) The petitioner/accused No.13 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.13 is 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 No.13 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 17.06.2025

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