

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

Criminal Petition No.7035 of 2025

Order:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused No.3 in crime No.33 of 2025 of Prohibition and Excise Station, Dhoolpet, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 16.04.2025, the Sub-Inspector of Prohibition and Excise Station, Dhoolpet, Hyderabad, along with STF A-Team staff, conducted a route watch near Peela Mandap, Kashi Shiv Mandir road leading to Jiyaguda Kamela-Puranapool. They intercepted a suspicious two-wheeler and on enquiry, the rider identified himself as Badrinarayan Singh (accused No.1). A black cover hanging from the handlebar contained 1.5 kg of dry ganja, which was seized. Accused No.1 confessed to purchasing the ganja from Ajay Singh @ Press Ajay (accused No.2) for Rs.20,000/- per kg and, along with his wife Manjudevi @ Kavitha (accused No.3), repackaged it into 10-gram sachets and sold them for Rs.250/- each. Accused No.1 was arrested, and the contraband, Honda Shine (No. AP13AE 8144),

and a mobile phone were seized. Basing on the same, Crime No.33 of 2024 was registered.

3. Heard Mr. Umesh Singh, learned counsel for the petitioner/accused No.3 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is no way concerned with the seizure of contraband and she was falsely implicated in the said crime. He further submitted that the petitioner is ready to cooperate with the investigation and also abide the conditions that may be imposed by this Court and hence, prayed for grant of bail.

5. Per contra, learned Additional Public Prosecutor submitted that accused No.3 has committed grave offence under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act. He further submitted that the investigation is under progress and at this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by learned counsel for the respective parties and after perusal of the material available on record, it reveals that the contraband seized from the accused is 1.5 kgs of ganja, which is an intermediate quantity. Even according to the

learned Additional Public Prosecutor, no criminal antecedents are reported against the petitioner/accused No.3.

7. Taking into consideration of the above facts, this Court is of the considered view that petitioner/accused No.3 is entitled for grant of anticipatory bail, subject to the following conditions:

1. The petitioner/accused No.3 shall surrender before the Station House Officer of Prohibition and Excise Station, Dhoolpet, on or before 24.06.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.3 on bail on her executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for the like sum each.
2. The petitioner/accused No.3 shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of six (6) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.
3. The petitioner/accused No.3 shall abide by the other conditions stipulated in Section 482 (2) of Bharatiya

Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.

4. After release, if the petitioners/accused No.3 indulge in similar offence, the respondent/State is at liberty to file an application seeking cancellation of bail.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date: 19.06.2025
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J.SREENIVAS RAO, J

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Dt: 19.06.2025

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