

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7012 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.6 in Crime No.117 of 2025 on the file of Nallakunta Police Station, Hyderabad, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 22 (c), 27 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution in brief is that on 28.04.2025 at around 18:00 hours near the main gate of Mother Dairy Park, petitioner along with other accused was found in possession of 144 grams of OG Weed (ganja), 44 LSD blots weighing 0.86 grams. Basing on the same, the Station House Officer, Nallakunta Police Station registered a case in Crime No.117 of 2025 and took up the investigation.

3. Heard Mr.V.Pramod Kumar, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that petitioner has not committed alleged offence and he was falsely implicated in the said crime. He further submitted that the petitioner was arrested on 29.04.2025 and since then he was in judicial custody. He further submitted that petitioners are not having any criminal antecedents and entire investigation is completed, except filing of charge sheet and the petitioners are willing and ready 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 submitted that petitioner/accused No.6 has committed grave offence under the provisions of NDPS Act and 144 grams of OG Weed (ganja), 44 LSD blots weighing 0.86 grams, which is a commercial quantity and the investigation is under progress. Hence, at this stage, 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 petitioner was arrested on 29.04.2025 and since then he is in judicial custody. Even according to the learned

Additional Public Prosecutor, petitioner is not having any criminal antecedents

7. Taking into consideration the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.6, subject to the following conditions:

(i) The petitioner/accused No.6 shall execute a personal bond for a sum of Rs.30,000/-(Rupees thirty thousand only) with two sureties for a like sum each to the satisfaction of the Metropolitan Sessions Judge, Nampally.

(ii) After release, the petitioner/accused No.6 shall appear before the concerned S.H.O. at 11.00 a.m. on every Monday 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.6 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.6 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 483(3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 20.06.2025

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