

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.7194 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner/accused No.3, seeking anticipatory bail in connection with COR No.8 of 2025 on the file of the Prohibition and Excise Station, Dhoolpet, Hyderabad registered for the offences punishable under Section 8(c) r/w 20(b)(ii)(B) and 27(b) of the Narcotic Drugs and Psychotropic Substances Act, 1989 (for short 'NDPS Act').

2. Heard Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. No representation on behalf of the petitioner.

4. The case of prosecution in brief is that on 30.01.2025, based on credible information regarding the sale of dry ganja, Sri P. Vishnu, Prohibition and Excise Sub-Inspector, Dhoolpet Police Station and his staff conducted a raid at the residence of Rajath Singh in Lower Dhoolpet, Hyderabad. Upon reaching the location, a person exited the house, and during questioning, a black

polythene cover beside him was found containing dry ganja (dry leaves, seeds, and flower toppings) and the same has been weighed with an electronic scale, the contraband was confirmed to be 1.3 kg of Dry Ganja. A laptop, portable weighing machine, and other material were seized. Based on the same, present case was registered against the accused for the aforesaid offences.

5. According to the averments made in the criminal petition, the petitioner has not committed any offence and he was falsely implicated in this case and the alleged contraband was seized from the other accused and therefore, the ingredients under the NDPS Act are not attracted against him. Hence, prayed to grant anticipatory bail to the petitioner.

6. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed the grave offence and the investigation is under progress and at this stage, if the petitioner is granted anticipatory bail, he will interfere with the investigation and influence the witnesses. Hence, the petitioner is not entitled for grant of anticipatory bail.

7. Having considered the rival submissions made

by the respective parties and after perusal of the material available on record, it reveals that the police seized 1.3 kg dry ganja, which is an intermediate quantity. Even according to the learned Additional Public Prosecutor, the petitioner is not having criminal antecedents.

8. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.3, subject to the following conditions:

- i) The petitioner/accused No.3 is directed to surrender before the S.H.O., Prohibition and Excise Station, Dhoolpet, Hyderabad on or before 30.06.2025 and on such surrender, the Station House Officer is directed to release the petitioner on bail his executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousands only), with two sureties for a like sum each to his satisfaction.
- ii) After release, petitioner/accused No.3 shall appear before the concerned S.H.O. at 11-00 a.m. on every Monday for a period of six weeks or till filing of charge sheet, whichever is earlier, for the purpose of investigation and thereafter, as and when required.
- iii) After release, if the petitioner/accused No.3 has committed similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.
- iv) After release, the petitioner/accused No.3 shall abide by the

conditions stipulated under Section 482 (2) of BNSS.

9. Accordingly, the Criminal Petition is allowed.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

JUSTICE J.SREENIVAS RAO

Date: 23.06.2025

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