

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7272 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.2 in COR No.256 of 2024 on the file of Prohibition and Excise Police Station, Dhoolpet, Hyderabad, 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 prosecution in brief is that on 30.10.2024 the P & ESI raided at H.No.14-8-419/D, Mumerath Bazar and seized contraband from the illegal possession of the A-1 i.e., 1.200 grams of Dry Ganja and arrested A-1 and petitioner/A-2 is shown as absconding and under the panchanama of A-1 the original case papers along with contraband and A-1 was handed over the S.H.O. P.S. Dhoolpet and a case was registered to that effect.

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

4. Learned counsel for petitioner submitted that petitioner has not committed alleged offence and she was falsely implicated in the above crime. He further submitted that the contraband was seized from the other accused and basing on the confession statement given by other accused, petitioner is arrayed as accused in the present crime. He further submitted that the seized contraband is only 1.200 kgs. of dry ganja, which is considered as an intermediate quantity as per the provisions of the NDPS Act. He further submitted that A-1 was already enlarged on bail on 22.11.2024. He further submitted that the petitioner is not having any criminal antecedents. He further submitted that the entire investigation is completed except filing of charge sheet and the petitioner is ready to cooperate with the investigation and also ready to abide the conditions, which are going to be imposed by this Court and hence, prayed for grant of anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that specific allegations are leveled against the petitioner/accused No.2 and investigation is under progress and if the petitioner/accused No.2 is released on bail at this stage, she may tamper with the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the contraband seized was 1.200 kgs. of Dry Ganja, which is an intermediate quantity and the entire investigation is completed, except filing of charge sheet. The record further reveals that the A-1 was already enlarged on bail on 22.11.2024.

7. Taking into consideration of the above facts, this Court is of the considered view that petitioner/accused No.2 is entitled for grant of anticipatory bail, subject to the following conditions:

1. The petitioner/accused No.2 shall surrender before the Station House Officer of Prohibition and Excise Police Station, Dhoolpet, Hyderabad, on or before 02.07.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.2 on bail on her executing a personal bond for

Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, for the like sum each.

2. The petitioner/accused No.2 shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of eight (8) 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.2 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.
 4. The petitioner/accused No.2 after release on anticipatory bail if indulged in similar offence, the respondent is at liberty to file application seeking cancellation of bail.
8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date:24.06.2025

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