

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7455 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 petitioners/accused Nos.2, 4 and 5 in Crime No.98 of 2025 on the file of Prohibition and Excise, Saroornagar Police Station, Ranga Reddy District, registered for the offences punishable under Section 8(c) r/w 20 (b) (ii) (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that petitioners along with other accused were found in possession of intermediary quantity of Narcotic Drugs i.e., 1.1 kgs of Dry ganja in the presence of the mediators.

3. Heard Mr.Ravuri Sai Sumanth, learned counsel for the petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed the offence and they were falsely implicated in the above said crime. He further submitted that the alleged contraband was seized from the other accused, hence the ingredients of NDPS Act are not attracted. He further submitted that the petitioners were arrested on 29.05.2025 and since then, they were in judicial custody. He further submits, petitioners were not having criminal antecedents and they are 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 the petitioners have committed a grave offence and the police seized the contraband namely 1.1 kg of ganja, which is intermediary quantity and the investigation is under progress. Hence, 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 petitioners were arrested on 29.05.2025 and

since then they were in judicial custody and the contraband seized by the Police is 1.1 kg of Ganja, which is intermediary quantity. Even according to the learned Additional Public Prosecutor, petitioners were 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 petitioners/accused Nos.2, 4 and 5 subject to the following conditions.

(i) The petitioners/accused Nos.2, 4 and 5 shall execute a personal bond for a sum of Rs.20,000/-(Rupees twenty thousand only) each with two sureties for a like sum each to the satisfaction of the V Metropolitan Magistrate, at Prohibition of Excise Court, L.B.Nagar, Ranga Reddy District.

(ii) After release, the petitioners/accused Nos.2, 4 and 5 shall appear before the concerned S.H.O. at 11.00 a.m. on every Monday for a period of four (4) 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 petitioners/accused Nos.2, 4 and 5 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.

(iii) The petitioners/accused Nos.2, 4 and 5 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: 26.06.2025

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