

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7306 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.4 in Crime No.339 of 2025 on the file of Film Nagar Police Station, Hyderabad, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) and 27 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of prosecution in brief is that on 21.05.2025, on receipt of credible information, Police apprehended the petitioner and other accused and seized 01 Kg of dry ganja. Basing on the same, Crime No.339 of 2025 was registered.

3. Heard Sri I. Aranya Saurabh, 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 he was falsely implicated in the above crime, basing on the confession statement given by the other accused. Even according to the allegations made in the complaint and panchanama, the contraband was seized from the other accused and the seized contraband is only 01 Kg of dry ganja, which is below small quantity. He further submitted that the petitioner is eking out his livelihood by doing private employment and he is not having any other criminal antecedents and he 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 the petitioner has committed grave offence and investigation is under progress and if the petitioner/accused No.4 is enlarged on anticipatory bail at this stage, he 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 one kg of dry ganja, which is small quantity. Even according to the learned Additional Public Prosecutor, petitioner is not having any other criminal antecedents.

7. Taking into consideration of the above facts, this Court is of the considered view that petitioner/accused No.4 is entitled for grant of anticipatory bail, subject to the following conditions:

1. The petitioner/accused No.4 shall surrender before the Station House Officer of Film Nagar Police Station, Hyderabad, on or before 01.07.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.4 on bail on his executing a personal bond for Rs.10,000/- (Rupees ten Thousand only) with two sureties, for the like sum each.
2. The petitioner/accused No.4 shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of four (4) 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.4 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.4 after released on bail if found indulged in similar offence, liberty is granted to the respondent to file an 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
vrks

103

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7306 of 2025

Date:24.06.2025
vrks