

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.7796 of 2025

Order:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioner/accused No.3 in Crime No.781 of 2025 of Pet Basheerabad Police Station, Cyberabad, registered for the offences punishable under Sections 8(c) read with 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 06.05.2025 at about 01:00 p.m., on receipt of credible information regarding illegal sale of ganja, the Sub-Inspector of Police, Pet Basheerabad Police Station proceeded to a place near Bus parking place near Apparel Park and apprehended accused No.1 and seized 1.444 grams of ganja from him. Based on the same, the aforesaid crime was registered against the

petitioner/accused No.3 and other accused for the aforesaid offences.

3. Heard Mr. B.Pavan, learned counsel for the petitioner/accused No.3 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is no way concerned with the seizure of contraband and even according to the complaint, the contraband was seized from accused No.1 and based on his confession only, the petitioner was falsely implicated in the present crime. He further submitted that the petitioner is a student and and he is not having any criminal antecedents and he is ready to cooperate with the investigation and abide by the conditions as may be imposed by this Court and hence, prays for grant of anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner/accused No.3 has committed grave offence

under the provisions of the NDPS Act. He further submitted that the investigation is under progress and at this stage, the petitioner is not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by learned counsel for the respective parties and on perusal of the material available on record, it reveals that there are no specific allegations against the petitioner and the alleged contraband *i.e.*, 1.444 grams of ganja was seized from the possession of the other accused and the same is small quantity. Even according to the learned Additional Public Prosecutor, no criminal antecedents are reported against the petitioner/accused No.3.

7. In view of the same, 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 shall surrender before the Station House Officer, Pet Basheerabad Police Station, Cyberabad, on or before 09.07.2025, and on such surrender, the said

Station House Officer shall release the petitioner/accused No.3 on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for a like sum each.

ii. On such release, the petitioner/accused No.3 shall appear before the Station House Officer, Pet Basheerabad Police Station, on every Monday at 11:00 a.m. for a period of six (6) 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, the petitioner/accused No.3 shall not influence the witnesses or interfere with the investigation.

iv. Petitioner/accused No.3 shall abide by the conditions stipulated under Section 482(2) of BNSS and shall cooperate with the Investigating Officer in the investigation.

v. After release, if the petitioner/accused No.3 indulges in similar offences, the respondent/State is at liberty to file an application seeking cancellation of bail.

8. Accordingly, the Criminal Petition is allowed.

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As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 02.07.2025
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J.SREENIVAS RAO, J