

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.8018 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 petitioner/accused in Crime No.73 of 2025 on the file of Prohibition and Excise Station, Shamshabad, 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 in brief is that on 12.06.2025, the petitioner was found in possession of 1.1 kgs of dry ganja. Basing on the same, present crime was registered.

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

4. Learned counsel for the petitioner submitted that the petitioner has not committed the offence and he was falsely implicated in the above crime. He further submitted that the police

have not followed the mandatory procedure as contemplated under the provisions of the NDPS Act, while conducting search and seizure. He further submits that the seized contraband is 1.1 kgs. of dry ganja, which is considered as an intermediate quantity as per the provisions of the NDPS Act. He further submitted that the petitioner was arrested on 12.06.2025 and since then, he is in judicial custody and the entire investigation is completed, except filing of charge sheet. He further submitted that the petitioner is not having any other criminal antecedents and he is 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 submits that the petitioner has committed grave offences under the provisions of the NDPS Act and investigation is under progress. Therefore, at this stage, the petitioner is 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 petitioner was arrested on 12.06.2025 and since then he is in judicial custody and the contraband seized by the Police is 1.1 kgs of dry ganja, which is intermediate quantity. Even according to the learned Additional Public Prosecutor, petitioner is 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 petitioner/accused subject to the following conditions.

(i) The petitioner/accused shall execute a personal bond for a sum of Rs.25,000/-(Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the Judicial Magistrate of First Class, at L.B.Nagar, Ranga Reddy District.

(ii) The petitioner/accused 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.

(iii) After release, if the petitioner/accused indulges in similar offence, the respondent-

State is entitled to file an application seeking cancellation of the bail granted by this Court in their favour.

(iv) The petitioner/accused 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: 07.07.2025
vsl