

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.8375 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.1 and 2 in Crime No.38 of 2025 on the file of Bayyaram Police Station, Mahabubabad District, registered for the offence punishable under Section 8(c) r/w 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 11.03.2025 at about 09:30 hours, while the Sub-Inspector of Police, Bayyaram Police Station, was on patrolling duty along with his staff, they found two persons under suspicious circumstances with a luggage bag on Bayyaram Main road near Dr. B.R.Ambedkar Statue and on search, 20.150 kgs of dry ganja was found in their bag and hence, they apprehended the petitioners/accused Nos.1 and 2 and seized 20.150 kgs of dry ganja from them. Basing on the same, the aforesaid case was

registered against the petitioners/accused Nos.1 and 2 and other accused for the aforesaid offence.

3. No representation on behalf of the petitioners either in physical mode or in virtual mode. Heard Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

4. Learned Additional Public Prosecutor submitted that the petitioners/accused Nos.1 and 2 have committed grave offence under the provisions of the NDPS Act. He further submitted that the seized contraband of 20.150 kgs of dry ganja, is a commercial quantity and the investigation is under progress and at this stage, the petitioners are not entitled for grant of bail.

5. Having considered the submissions made by learned Additional Public Prosecutor and on perusal of the material available on record, it reveals that the police seized 20.150 kgs of dry ganja from the possession of the petitioners and the same is commercial quantity. The record further reveals that

the petitioners were arrested in the present crime on 11.03.2025 and since more than 125 days, they are in judicial custody. Even according to the learned Additional Public Prosecutor, 10 witnesses were already examined and the petitioners are not involved in similar offence and no criminal antecedents are reported against them.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners/accused Nos.1 and 2, subject to the following conditions:

(i) The petitioners/accused Nos.1 and 2 shall be enlarged on bail on each of them executing personal bonds for Rs.30,000/- (Rupees Thirty Thousand only) with two sureties for a like sum each to the satisfaction of the Principal Judicial First Class Magistrate at Mahabubabad.

(ii) After release, the petitioners/accused Nos.1 and 2 shall appear before the concerned Station House Officer at 11.00 A.M. on every Monday, for a period of six (6) weeks or till filing of charge sheet whichever is earlier, for the

purpose of investigation and thereafter, as and when required.

iii) The petitioners/accused Nos.1 and 2 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

(iv) After release, if the petitioners/accused Nos.1 and 2 indulge in similar offences, the respondent/State shall be at liberty to file an application seeking cancellation of bail.

7. Accordingly, the Criminal Petition is allowed.

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

Date: 14.07.2025
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J.SREENIVAS RAO, J