

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.8586 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/accused No.6 seeking bail in Crime No.2 of 2025 of Cyberabad Narcotic Police Station, TG Anti-Narcotics Bureau, Hyderabad, registered for the offences punishable under Sections 8(c), 20(b)(ii)(A), 22(a), 22(b), 27(a), 27(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS').

2. The case of prosecution in brief is that the police on receipt of credible information apprehended the petitioner along with other accused and seized the contraband namely 3.2 grams OG Weed Ganja, 1.6 grams Ecstasy Pills and 5 grams Cocaine. Basing on the same, the present crime was registered.

3. Heard Mr.K.Siddarth Reddy, learned counsel for the petitioner, and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent person and he was falsely implicated in this crime, basing upon the confession statement made by the other accused. He further submitted that the allegations made in the complaint and in the remand case diary, the alleged contraband was seized from the other accused hence, the provisions of the NDPS Act are not attracted against the petitioner. He further submitted that even according to the prosecution alleged contraband seized in the present crime is below the commercial quantity. He further submitted that the petitioner was arrested on 08.07.2025 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 not involved in similar offences and he is ready and willing 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 opposed the bail petition and submitted that the petitioner has committed grave offence and the investigation is under progress and if the petitioner is released on

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 Police seized the contraband namely 5 grams of Cocaine, 3.2 grams of OG Weed Ganja and 1.6 grams of Ecstasy Pills, which are intermediary and small quantities and the petitioner was arrested on 08.07.2025, since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, the petitioner is not involved in similar offence and he is not having any other criminal antecedents and 13 witnesses were examined and custodial interrogation of the petitioner is not required.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.6, subject to the following conditions:

- (i) The petitioner/accused No.6 shall execute a personal bond for a sum of Rs.50,000/-(Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the Special Judicial Magistrate of First Class (Prohibition and Excise), Ranga Reddy-cum-V Additional Metropolitan Magistrate-cum-V Additional Junior Civil Judge, Ranga Reddy at L.B.Nagar.

(ii) The petitioner/accused No.6 shall appear before the concerned SHO at 11.00 A.M. on every Saturday, for a period of eight (8) 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 No.6 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.

(iv) The petitioner/accused No.6 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date: 17.07.2025
mmr

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