

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.9495 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused No.4 in Crime No.12 of 2025 dated 21.02.2025 on the file of the Station House Officer, Prohibition and Excise, Dhoolpet, registered for the offences punishable under Sections 8(c) read with 20(b)(ii)(B) and 27(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution in brief is that on 21.02.2025 at about 11.10 a.m., the Prohibition and Excise Sub Inspector, Dhoolpet, conducted raid at the house of accused No.1 and detected a case of illegal possession and sale of dry ganja and apprehended accused Nos.1 and 2 and seized 2.210 kgs. of ganja under a cover of panchanama. Basing on the same, the present crime was registered.

3. Heard Mr. Umesh 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 she was falsely implicated in the present crime basing on the confession statement given by the other accused. Even according to the prosecution, the alleged contraband was seized in the present crime is 2.210 kgs. of dry ganja, which is intermediate quantity. He further submitted that the other accused were arrested and enlarged on bail. The petitioner is not having any criminal antecedents and entire investigation is completed, except filing of charge sheet. The petitioner is ready to cooperate with the investigation and abide by the conditions, which are going to be imposed by this Court. Hence, the petitioner may be granted anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed a grave offence under the provisions of the NDPS Act. The investigation is under progress. The petitioner is involved in similar offence.

Hence, the petitioner is not entitled for grant of anticipatory bail.

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 i.e., 2.210 kgs. of dry ganja, which is intermediate quantity. Even according to the learned Additional Public Prosecutor, accused Nos.1, 3, 5 and 6 were arrested and enlarged on bail and the material part of the investigation is completed.

7. Taking into consideration the facts and circumstances case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.4 with the following conditions:

- (i) The petitioner/accused No.4 is directed to surrender before the Station House Officer, Prohibition and Excise Station, Dhoolpet, on or before 11.08.2025 and on such surrender, she shall be enlarged on bail on her executing a personal bond for a sum of Rs.30,000/-(Rupees thirty thousand only) with two sureties for a like sum each.
- (ii) On such release, the petitioner/accused No.4 shall appear before the Station House Officer, Prohibition and Excise Station, Dhoolpet, on every Monday at 11:00 a.m. for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier.

(iii) After release, if the petitioner/accused No.4 indulges in similar offences, the respondent is at liberty to file petition seeking cancellation of bail.

(iv) The petitioner/accused No.4 shall abide by the conditions stipulated under Section 482 (2) of the BNSS and shall cooperate with the Investigating Officer in the investigation.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 04.08.2025

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