

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10223 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to, as 'BNSS') seeking bail to the petitioner/accused No.6 in Crime No.3 of 2025 of Excise Police Station, Dhoolpet, Hyderabad, registered for the offence under Section 8(c) read with 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS').

2. Heard Mr. Suresh Singh, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent – State.

3. The brief facts of the case are that on 09.01.2025 on credible information, the Prohibition and Excise Sub Inspector, Excise Police Station, Dhoolpet, Hyderabad, along with staff conducted raid at H.No.13-1-565/1, Dilawargunj, Upper Dhoolpet, Hyderabad, and found that accused Nos.1 and 2 in suspicious circumstances and apprehended them and seized 21.010 kilograms of dry ganja from their house. The Police

recorded the confession of accused Nos.1 and 2, where the involvement of accused Nos.3 to 14 came into existence. The police seized the said ganja under cover of a panchanama and registered Crime No.3 of 2025.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he was falsely implicated in the present crime. The entire allegations are levelled against accused Nos.1 and 2 and the police seized the contraband from them and that the petitioner is not involved in any other crimes. The petitioner was arrested on 25.04.2025 and since then he has been in judicial custody. Therefore, prayed the Court to enlarge the petitioner on bail.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner. However, the contraband seized from accused Nos.1 and 2 is 21.010 kgs., which is commercial quantity and the investigation is not yet completed, therefore, granting bail to the petitioners, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on

record, *prima facie* it reveals that the police seized the contraband from accused Nos.1 and 2 and the petitioner is in judicial custody since more than 106 days. Taking into consideration the facts and circumstances of the case and that the petitioners are not accused of any other crime, this Court is inclined to grant bail to the petitioner/accused No.6, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned I Additional Chief Judicial Magistrate, Nampally, Hyderabad.
- ii. The petitioner shall appear before the concerned SHO at 11:00 A.M., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 20.08.2025
SS

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.10223 of 2025

Date: 20.08.2025

SS