

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10615 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.463 of 2024 of Asif Nagar Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 01.10.2024, the *de-facto* complainant lodged report before the Police stating that as per the instructions of superior officers, he along with his staff conducted vehicle checking at Sai Baba Temple and stopped accused No.1 as he was seen suspicious. On questioning, accused No.1 disclosed his name and on further enquiry the police has seized 2KGs of Hash oil from accused No.1 and registered a case for the offences under Section 8(c) r/w 20(b)(ii)(C) and 29 of the NDPS Act.

3. Heard M/s.Mudumba Laxmi, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon,

learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and is no was connected of the offences alleged in the complaint. He further stated that the petitioner has been in jail since 21.10.2024 and that the material part of the investigation has been completed. Therefore, he prayed that the Court grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegations leveled against the petitioner are serious in nature and further, the commercial quantity of 2KGs of Hash oil was involved in this case. He further submitted that accused No.2, who is the petitioner, has handed over the said quantity to accused No.1 and instructed him to deliver the same to accused No.6 at Hyderabad, and total six accused are involved in this case, wherein accused Nos.3 to 6 are absconding. He further submitted that the petitioner is a ganja cultivator and other

cases are pending against him. At this stage, granting of bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both learned counsel and upon perusal of the material available on record, it is noted that the petitioner has been in jail since 21.10.2024 and the police have already filed charge sheet. Considering the facts and circumstances of the case, the investigation conducted by the Investigating Officer, and the period of incarceration of the petitioner, this Court deems it fit to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned Sessions Judge at 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: 03.09.2025
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